

THE
BIHAR AND ORISSA
FOREST MANUAL

With which is incorporated the Indian Forest Act, 1878
(Act VII of 1878), as modified up to the 13th October 1911,
and connected Acts and Rules.

VOLUME I.

*Published under the authority of the Government of
Bihar and Orissa.*

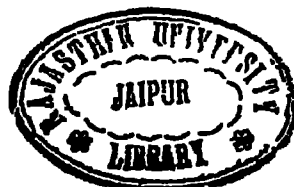


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PREFACE.

THE first draft of the Bihar and Orissa Forests Manual was prepared by Mr. Carter, Conservator of Forests, in 1915. Numerous additions and alterations as well as some re-arrangements were made to this draft and the completion of the manual was for a long time held in abeyance pending the compilation by the Comptroller and Auditor-General of a new Chapter (now Chapter 23-A) on Forest accounts for the Civil Account Code. As the Government of India desired that Provincial Manual should contain only such rules as were *not* included in that Code the whole of Part III had to be recast. In the meantime as both rules and appendices had in several instances already grown out of date the Manual was further corrected up to the 30th of September 1916, with the exception of Parts I and II which were printed off in 1915.

RANCHI :

The 24th August 1917.

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SCHEDULE.—ENACTMENTS REPEALED.

ACT No. VII OF 1878.¹

[8th March, 1878.]

An Act to amend the Law relating to Forests, the Transit of Forest-produce, and the Duty leviable on Timber.

[As modified up to the 18th October 1911.]

WHEREAS it is expedient to amend the law relating to forests, the transit of forest-produce and the duty leviable on timber; It is hereby enacted as follows :—

Preamble.

CHAPTER I.

Preliminary.

1. This Act may be called the Indian Forest Act, 1878.

Short title.

It shall come into force at once in the territories respectively administered by the Governor of Bombay in Council, the Lieutenant-Governors of the ²Lower Provinces, the ³North-Western Provinces, and the Punjab (except

Commence-
ment.

¹ For Statement of Objects and Reasons, see "Gazette of India," 1877, Part V, p. 11; for the first Report of the Select Committee, see *ibid.*, Part V, p. 400; for Proceedings in Council, see *ibid.* Supp. vol., pp. 86, 121, 274, and *ibid.*, 1878, pp. 326 and 437.

Act VI. of 1878 has been declared in force in the Santal Parganas by Reg. III of 1872, s. 3, as amended by the Santal Parganas Justice and Laws Regulation, 1897 (III of 1890) [for Reg. III of 1872, see Bengal Code]; in Angul and the Khondmals by the Angul District Regulation, 1891 (Reg. I of 1891), s. 3; and in the Chittagong Hill Tracts by the Chittagong Hill Tracts Regulation, 1900 (I of 1900).

The Act has been declared, by notification under s. 3 (a) of the Scheduled Districts Act, 1874 (XIV of 1874), to be in force in the following Scheduled Districts, in the Chota Nagpore Division, namely: the Districts of Hazáribágh, Lohárdágh and Manbhum and Pargana Dhalbhum and the Kolhan in the District of Singhbhum—see "Gazette of India," 1881, Part I, p. 504. The District of Lohárdágh included at that time the present District of Palamu, separated in 1894. It is now called the Ranohi District; see "Calcutta Gazette," 1890, Part I, p. 44.

The provisions, so far as they may be applicable, of the Indian Forest Act (VII) of 1878 were applied to Berar, by Foreign Department Notification No. 2197-F B., dated 1st October, 1911, and notification, see "Gazette of India," 1911, Part I, p. 823.

² Now partly under the Governor of the Presidency of Fort William in Bengal and partly under the Lieutenant-Governor of Bihar and Orissa, see Notifications Nos. 290 and 289 respectively, dated the 22nd March, 1912, see "Gazette of India," 1912, Part I, pp. 304 and 305, and also No. 410, of the Presidency of Fort William, see "Gazette of India," 1912, Part I, p. 308.

³ Now included in the United Provinces of Agra and Oudh, see Proclamation No. 926-P., dated the 22nd March, 1902, "Gazette of India," 1902, Part I, p. 223, and the United Provinces Designation Act, 1902 (7 of 1902).

the districts of Hazara),¹ and the Chief Commissioners of² Oudh, the Central Provinces and Assam.³

Extension.

And any other Local Government may, from time to time, with the previous sanction of the Governor General in Council, extend,⁴ by notification in the local official Gazette, this Act to all or any of the territories for the time being under its administration.

Repeal of enactments.

On and from the date on which this Act comes into force in any of the said territories, the enactments mentioned in the schedule hereto annexed shall be repealed in such territories. But all rules made under, or validated by, any of the said enactments and in force at the date of such repeal shall, so far as they are consistent with this Act, be deemed to have been made and published hereunder.

Interpretation-clause.

2. In this Act, unless there be something repugnant in the subject or context,—

“Forest-officer” means any person whom the Governor General in Council or the Local Government or any officer empowered by the Governor General in Council or the Local Government in this behalf, may from time to time appoint by name, or as holding an office, to carry out all or any of the purposes of this Act, or to do anything required by this Act or any rule made under this Act to be done by a Forest-officer :

¹ For the forest law in force in the Hazara District, see the Hazara Forest Regulation, 1911 (III of 1911).

² See third footnote on p 1, ante.

³ Act VII of 1878 was repealed in Assam from the 1st April, 1892—see the Assam Forest Regulation, 1891 (VII of 1891), ss. 1 (3) and 2 (1), printed, Assam Code, Ed. 1897, p. 298.

⁴ Act VII of 1878 has been extended under this power to the Province of Coorg—see “Coorg District Gazette,” 1897, Part I, p. 640.

For Madras, Ajmere-Merwara, Burma, British Baluchistan, and Assam there are special forest laws—see Madras Forest Act, 1882 (V of 1882), printed, Madras Code, Ed. 1902, p. 373; the Ajmere Forest Regulation, 1874 (VI of 1874) printed, Ajmere Code, Ed. 1893, p. 140; the Burma Forest Act, 1902 (IV of 1902); the British Baluchistan Forest Regulation, 1890 (V of 1890), printed, British Baluchistan Code, Ed. 1900, p. 67; the Assam Forest Regulation, 1891 (VII of 1891), printed, Assam Code, Ed. 1897, p. 298.

In the Punjab, the Land Preservation (Chos) Act, 1900 (Punjab Act II of 1900), is to be read with and taken as part of this Act, see Punjab Code, Ed. 1903, pp. 192 and 500. For rules for the conveyance of forests and jungles in the hill districts of the Punjab territories, see Appendix to Punjab Code, p. 589. These rules are also in force in the North-West Frontier Province, see s. 4 and second schedule to Reg. VII of 1901, Punjab Code, pp. 551 and 582.

⁵ For notification appointing Forest-officers for the Santal Parganas and empowering them to compound for offences mentioned in s. 67 within certain specified areas, see “Calcutta Gazette,” 1901, Part I, p. 28; in the North-West Frontier Province for certain specified forests for all purposes of Act, see “Gazette of India,” 1904, Part II, p. 113.

1 "tree" includes palms, bamboos, stumps, brushwood and canes :

2 "timber" includes trees when they have fallen or have been felled, and all wood, whether cut up or fashioned or hollowed out for any purpose or not :

3 "forest-produce" includes—

(a) the following, whether found in, or brought from, a forest or not, that is to say :—

timber, charcoal, caoutchouc, catechu, wood-oil, resin, natural varnish, bark, lac, mahua flowers, ⁴[mahua seeds], and myrabolams, and

(b) the following when found in, or brought from a forest, that is to say :—

(i) trees and leaves, flowers and fruits, and all other parts or produce not hereinbefore mentioned of trees,

(ii) plants not being trees (including grass, creepers, reeds, and moss) and all parts or produce of such plants,

(iii) wild animals and skins, tusks, horns, bones, silk, cocoons, honey and wax, and all other parts or produce of animals, and

(iv) peat, surface soil, rock and minerals (including lime-stone, laterite, mineral oils, and all products of mines or quarries) :

"forest-offence" means an offence punishable under this Act, or under any rule made under this Act :

4 "cattle" includes elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids :

"river" includes streams, canals, creeks and other channels, natural or artificial.

¹ This definition of "tree" was substituted for the original by the Forest Act, 1890 (V of 1890) s. 2 (1). The original clause only referred to bamboos, stumps, and brushwood.

² These definitions of "timber" and "forest-produce" were substituted for the original definitions by the Forest Act, 1890 (V of 1890), s. 2 (2) and (3), respectively. For Act V, see General Acts, Vol. V, Ed. 1898.

³ The words "mahua seeds" were inserted by s. 2 of the Indian Forest (Amendment) Act, 1911 (XV of 1911).

⁴ See similar definition in Cattle Trespass Act, 1871 (I of 1871). General Acts, Vol. II.

CHAPTER II:

Of Reserved Forests.¹

Power to
reserve
forests.

3. The Local Government may, from time to time, constitute any forest-land or waste-land which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest produce of which the Government is entitled, a Reserved Forest, in the manner hereinafter provided.

Notification
by Local
Government

4. Whenever it is proposed to constitute any land a reserved forest, the Local Government may publish a notification in the local official Gazette—

(a) declaring that it is proposed to constitute such land a reserved forest;

²(b) specifying, as nearly as possible, the situation and limits of such land; and

(c) appointing an officer (hereinafter called the "Forest Settlement-officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within such limits, or in or over any forest-produce, and to deal with the same as provided in this Chapter.

Explanation.—For the purpose of clause (b) of this section it shall be sufficient to describe the limits of the forest by roads, rivers, ridges, or other well-known or readily intelligible boundaries.

The officer appointed under clause (c) of this section shall ordinarily be a person not holding any forest-office except that of Forest Settlement-officer.

Nothing in this section shall prevent the Local Government from appointing any number of officers not exceeding three, not more than one of whom shall be a person holding any forest-office except as aforesaid, to perform the duties of a Forest-Settlement-officer under this Act.

Bar of acqui-
sition of forest-
rights.

5. During the interval between the publication of such notification and the date fixed by the notification under section 19, no right shall be acquired in or over the land comprised in such notification, except by

¹ As to the application of provisions relating to reserved forests (1) to village forests, see s. 27 last paragraph; (2) to forests, and lands not the property of the Government, see ss. 30, 38; (3) to forests, waste-lands or produce the joint property of the Government and other persons, see s. 70, *infra*.

² This clause was substituted for the original cl. (b) by the Forest Act, 1890 (V of 1890), s. 2, printed, General Acts, Vol. V. The original clause ran as follows:—"(b) specifying the limits of such forest; and"

succession or under a grant or contract in writing made or entered into by, or on behalf of, Government or some person in whom such right was vested when the former notification was issued; and no fresh clearings for cultivation or for any other purpose shall be made in such land¹ [except in accordance with rules prescribed by the Local Government].

6. When a notification has been issued under section 4, the Forest-Settlement-officer shall publish, in the language of the country, in every town and village in the neighbourhood of the land comprised therein, a proclamation—

Proclamation
by Forest-
Settlement-
officer.

(a) specifying, as nearly as possible, the situation and limits of the proposed forest;

(b) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and

(c) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right mentioned in section 4 or 5 either to present to such officer within such period a written notice specifying, or to appear before him and state the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.

7. The Forest-Settlement-officer shall take down in writing all statements made under section 6, and shall, at some convenient place, inquire into all claims duly preferred under that section, and the existence of any rights mentioned in section 4 or 5 and not claimed under section 6 so far as the same may be ascertainable from the records of Government and the evidence of any persons likely to be acquainted with the same.

Inquiry by
Forest-
Settlement-
officer.

8. For the purpose of such enquiry the Forest-Settlement-officer may exercise the following powers, that is to say :—

Powers of
Forest-
Settlement-
officer.

(a) power to enter, by himself or any officer authorized by him for the purpose, upon any land, and to survey, demarcate and make a map of the same; and

(b) the powers of a Civil Court in the trial of suits.

9. Rights in respect of which no claim has been preferred under section 6, and of the existence of which no knowledge has been acquired by inquiry under section 7, shall be extinguished, unless, before the notification under

Extinction
of rights.

¹ These words were added by the Forest Act, 1890 (V of 1890), 4, printed, General Acts, Vol V.

² This clause was substituted for the original cl. (a) by Act V of 1890, s. 5. The clause ran :—“(a) specifying the limits of the proposed forest;”

section 10 is published, the person claiming them satisfies the Forest-Settlement-officer that he had sufficient cause for not preferring such claim within the period fixed under section 6.

Treatment of claims relating to practice of shifting cultivation.

9A. (1) In the case of a claim relating to the practice of shifting cultivation, the Forest-Settlement-officer shall record a statement setting forth particulars of the claim and of any local rule or order under which the practice is allowed or regulated, and submit the statement to the Local Government together with his opinion as to whether the practice should be permitted or prohibited wholly or in part.

(2) On receipt of the statement and opinion the Local Government may make an order permitting or prohibiting the practice wholly or in part.

(3) If such practice is permitted wholly or in part the Forest-Settlement-officer may arrange for its exercise—

(a) by altering the limits of the land under settlement so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimants, or

(b) by causing certain portions of the land under settlement to be separately demarcated, and giving permission to the claimants to practise shifting-cultivation therein under such conditions as he may prescribe.

All arrangements made under this sub-section shall be subject to the previous sanction of the Local Government.

(4) The practice of shifting cultivation shall in all cases be deemed a privilege subject to control, restriction, and abolition by the Local Government.

Power to acquire land over which right is claimed.

10. In the case of a claim to a right in or over any land, other than a right of way or pasture, or to forest-produce or a water-course the Forest-Settlement-officer shall pass an order admitting or rejecting the same in whole or in part.

If such claim is admitted in whole or in part the Forest-Settlement-officer shall either (1) exclude such land from the limits of the proposed forest; or (2) come to an agreement with the owner thereof for the surrender of his rights; or (3) proceed to acquire such land in the manner provided by the Land Acquisition Act, 1870.²

1 of 1870,

¹ S. 9A was inserted by Act V of 1890, s. 6, printed, General Acts, Vol. V.

² See now the Land Acquisition Act, 1894 (I of 1894), General Acts, Vol. VI.

For the purpose of so acquiring such land—

- (a) the Forest-Settlement-officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1870¹;
- (b) the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under section 9 of that Act²;
- (c) the provisions of the preceding sections of that Act shall be deemed to have been complied with; and
- (d) the Collector, with the consent of the claimant of the Court, with the consent of both parties, may award compensation in land or partly in land and partly in money.

11. In the case of a claim to rights of pasture or to forest-produce, the Forest-Settlement-officer shall pass an order admitting or rejecting the same in whole or in part.

Order on claims to rights of pasture or to forest-produce.

12. The Forest-Settlement-officer, when passing any order under section 11, shall record, so far as may be practicable,—

Record to be made by Forest-Settlement-officer.

- (a) the name, father's name, caste, residence and occupation of the person claiming the right;
- (b) the designation, position and area of all fields or groups of fields (if any), and the designation and position of all buildings (if any) in respect of which the exercise of such rights is claimed.

13. If the Forest-Settlement-officer admits in whole or in part any claim under section 11 he shall also record the extent to which the claim is so admitted, specifying the number and description of the cattle which the claimant is from time to time entitled to graze in the forest, the season during which such pasture is permitted, the quantity of timber and other forest-produce which he is from time to time authorized to take or receive, or such other particulars as the case may require. He shall also record whether the timber or other forest-produce obtained by the exercise of the rights claimed may be sold or bartered.

Record where he admits claim.

14. After making such record the Forest-Settlement-officer shall, to the best of his ability, and having due regard to the maintenance of the reserved forest in respect of which the claim is made, pass such orders as

Exercise of rights admitted.

¹ See now the Land Acquisition Act, 1891 (I of 1891), General Acts, Vol. VI.

² This reference to s. 9 of Act X of 1870 should now be read as referring to s. 9 of Act I of 1894—s. 2 of the latter Act.

will ensure the continued exercise of the rights so admitted. For this purpose the Forest-Settlement-officer may—

- (a) set out some other forest tract of sufficient extent, and in a locality reasonably convenient, for the purposes of such claimants, and record an order conferring upon them a right of pasture or to forest-produce (as the case may be) to the extent so admitted; or
- (b) so alter the limits of the proposed forest as to exclude forest land of sufficient extent, and in a locality reasonably convenient, for the purposes of the claimants; or,
- (c) record an order, continuing to such claimants a right of pasture or to forest-produce (as the case may be) to the extent so admitted, at such seasons, within such portions of the proposed forest and under such rules as may, from time to time, be prescribed by the Local Government.

Commutation
of rights.

15. In case the Forest-Settlement-officer finds it impossible, having due regard to the maintenance of the reserved forest, to make such settlement under section 14 as shall ensure the continued exercise of the said rights to the extent so admitted, he shall (subject to such rules as the Local Government may, from time to time, prescribe in this behalf) commute such rights, either by the payment to such persons of a sum of money in lieu thereof, or by the grant of land, or in such other manner as he thinks fit.

Appeal from
order passed
under section
10, 11, 14 or
15.

16. Any person who has made a claim under this Act, or any Forest-officer or other person generally or specially empowered by the Local Government in this behalf, may, within three months from the date of the order passed on such claim by the Forest-Settlement-officer under sections 10, 11, 14 or 15, present an appeal from such order to such officer of the Revenue Department, of rank not lower than that of a Collector or Deputy Commissioner, as the Local Government may, from time to time, by notification in the local official Gazette, appoint by name, or as holding an office, to hear appeals from such orders:

Provided that, if the Local Government establishes (as it is hereby empowered to do) a Court (hereinafter called the Forest Court) composed of three persons to be appointed by the Local Government, such appeal shall be presented to such Court.

Appeal under
section 16.

17. Every appeal under section 16 shall be made by petition in writing, and may be delivered to the Forest-Settlement-officer, who shall forward it without delay to the authority competent to hear the same.

If the appeal be to an officer appointed under section 16, it shall be heard in the manner prescribed for the time being for the hearing of appeals in matters relating to land-revenue.

If the appeal be to the Forest Court, the Court shall fix a day and a convenient place in the neighbourhood of the proposed forest for hearing the appeal, and shall give notice thereof to the parties and shall hear such appeal accordingly.

The order passed thereon by such officer or Court, or by the majority of the members of such Court, shall be final, subject to revision by the Local Government.

18. The Local Government, or any person who has made a claim under this Act, may appoint any person to appear, plead and act on its or his behalf before the Forest-Settlement-officer, or the Appellate Officer or Court, in the course of any inquiry or appeal under this Act. Pleaders.

19. When the following events have occurred (namely) :—

- (a) the period fixed under section 6 for preferring claims has elapsed, and all claims (if any) made within such period have been disposed of by the Forest-Settlement-officer; and,
- (b) if such claims have been made, and the period limited by section 16 for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the Appellate Officer or Court; and
- (c) all lands (if any) to be included in the proposed forest, which the Forest-Settlement-officer has, under section 10, elected to acquire under the Land Acquisition Act, 1870, ¹ have become vested in the Government under section 16 of that Act,

Notification
declaring
forest
reserved.

the Local Government may publish a notification in the local official Gazette specifying definitely, according to boundary-marks erected or otherwise, the limits of the forest which it is intended to reserve, and declaring the same to be reserved from a date fixed by such notification.

From the date so fixed such forest shall be deemed to be a Reserved Forest.

20. The Forest-officer shall, before the date fixed by such notification cause a translation thereof into the language of the country to be published in every town and village in the neighbourhood of the forest.

Publication
of translation
of such notification
in
neighbour-
hood of
forest.

¹ Read now the Land Acquisition Act, 1874 (I of 1894), s. 2, printed, General Acts, Vol. VI.

Power to
revise
arrangement
made under
section 14 or
17.

21. The Local Government may, within five years from the publication of any notification under section 19, revise any arrangement made under section 14 or 17, and may, for this purpose, rescind or modify any order made under section 14 or 17, and direct that any one of the proceedings specified in section 11 be taken in lieu of any other of such proceedings, or that the rights admitted under section 11 be commuted under section 15.

No right
acquired
over reserved
forest, except
as here
provided.

22. No right of any description shall be acquired in or over a reserved forest, except by succession or under a grant or contract in writing made by or on behalf of the Government or of some person in whom such right was vested when the notification under section 19 was issued.

Rights not to
be alienated
without
sanction.

23. Notwithstanding anything contained in section 22, no right continued under section 14, clause (c) shall be alienated by way of grant, sale, lease, mortgage or otherwise, without the sanction of the Local Government:

Provided that, when any such right is appendant to any land or house, it may be sold or otherwise alienated with such land or house.

No timber or other forest-produce obtained in exercise of any such right shall be sold or bartered except to such extent as may have been admitted in the order recorded under section 13.

Power to
stop ways and
water-courses
in reserved
forests.

24. The Forest-officer may, from time to time, with the previous sanction of the Local Government or of any officer duly authorized in that behalf, stop any public or private way or water-course in a reserved forest:

Provided that a substitute for the way or water-course so stopped, which the Local Government deems to be reasonably convenient, already exists, or has been provided or constructed by the Forest-officer in lieu thereof.

25. Any person who—

(a) makes any fresh clearing prohibited by section 5; or

¹[(b) sets fire to a reserved forest, or in contravention of any rules² made by the Local Government, kindles any fire, or leaves any fire burning in such manner as to endanger such a forest;]

¹ This clause was substituted for the original cl. (b) by the Forest Act, 1890 (V. of 1890), s. 7 For Act V, see General Acts, Vol. V.

² For rules made under this clause for—

(1) Bombay, see pp. 100 and 107 of the Bombay List of Local Rules and Orders, Ed. 1898;

(2) Central Provinces, see p. 25 of the Central Provinces List of Local Rules and Orders Ed. 1890; and,

(3) United Provinces, see p. 59 of the North-Western Provinces and Oudh List of Local Rules and Orders, Ed. 1894.

Acts pro-
hibited in
such forests.

or who, in a reserved forest,—

- (c) kindles, keeps or carries any fire except at such seasons as the Forest-officer may, from time to time, notify in this behalf ;
- (d) trespasses or pastures cattle, or permits cattle to trespass ;
- (e) causes any damage by negligence in felling any tree or cutting or dragging any timber ;
- (f) fells, girdles, lops, taps or burns any tree, or strips off the bark or leaves from, or otherwise damages, the same ;
- (g) quarries stone, burns lime or charcoal, or collects, subject to any manufacturing process, or removes any forest-produce ;
- (h) clears or breaks up any land for cultivation or any other purpose ; or,
- ¹(i) in contravention of any rules which the Local Government may, from time to time prescribe, ²[kills or catches elephants,] hunts, shoots, fishes, poisons water or sets traps or snares

shall be punished with imprisonment for a term which may extend to six months, or with fine not exceeding five hundred rupees, or with both, in addition to such compensation for damage done to the forest as the convicting Court may direct to be paid.

Nothing in this section shall be deemed to prohibit (a) any act done by permission in writing of the Forest-officer, or under any rule made by the Local Government ; or (b) the exercise of any right continued under section 14, clause (c), or created by grant or contract in writing made by, or on behalf of, Government under section 22.

Whenever fire is caused wilfully or by gross negligence in a reserved forest, the Local Government may (notwithstanding that any penalty has been inflicted under this section) direct that in such forest or any portion thereof the exercise of all rights of pasture or to forest produce shall be suspended for such period as it thinks fit.

26. The Local Government may, ³[subject to the control] of the Governor-General in Council, by notification in the local official *Gazette*,

Power to declare forest no longer reserved.

¹ For notification prohibiting the killing, injuring or capturing of any rhinoceros in reserved forests in the Jalsaijuri and Darjeeling Districts see "Calcutta Gazette," 1889, Pt. I, p. 1368.

For rules under this clause in conjunction with s. 75 (d) as to hunting, shooting, firing, etc. in Reserved Forests in the "United Provinces," see "United Provinces Gazette," 1905, Pt. I, p. 420, *ibid.*, for Central Provinces, see "Central Provinces Gazette," 1902, Pt. III, p. 334.

² These words are repealed in the United Provinces, the Central Provinces and Coorg, and in local areas to which the Elephants Preservation Act, 1879 (VI of 1879) is extended—see s. 2 of that Act, General Acts, Vol. III.

³ The words "subject to the control" were substituted for the words "with the previous sanction" by s. 3 of the Indian Forest (Amendment) Act, 1911 (XV of 1911).

direct that, from a date fixed by such notification, any forest or any portion thereof reserved under this Act shall cease to be a reserved forest.

From the date so fixed, such forest or portion shall cease to be reserved, but the rights (if any) which have been extinguished therein shall not revive in consequence of such cessation.

CHAPTER III.

Of Village-Forests.

Formation
of "village-
forests."

27. The Local Government may, from time to time, assign to any village-community the rights of Government to or over any land which has been constituted a reserved forest, and may cancel such assignment. All forests so assigned shall be called, "village-forests."

The Local Government may, from time to time, make rules for regulating the management of village-forests, prescribing the conditions under which the community to which any such assignment is made may be provided with timber or other forest-produce or pasture, and their duties for the protection and improvement of such forest.

All provisions of this Act relating to Reserved Forests shall (so far as they are consistent with the rules so made) apply to village-forests.

CHAPTER IV.

Of Protected Forests.¹

"Protected
forests."

28. The Local Government may, from time to time, by notification in the local official Gazette, declare the provisions of this Chapter applicable to any forest-land or waste-land which is not included in a reserved forest, but which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest-produce of which the Government is entitled.

The forest land and waste-lands comprised in any such notification shall be called a "protected forest."

¹ As to the application of provisions relating to protected forests (1) to land not the property of the Government, see s. 38; (2) to forests, waste-land or produce the joint property of the Government and other persons, see s. 70, *infra*.

No such notification shall be made unless the nature and extent of the rights of Government and of private persons in or over the forest-land or waste-land comprised therein have been inquired into and recorded at a survey or settlement, or in such other manner as the Local Government thinks sufficient.

Every such record shall be presumed to be correct until the contrary is proved :

Provided that, if in the case of any forest-land or waste-land, the Local Government thinks that such inquiry and record are necessary, but that they will occupy such length of time as that the rights of Government will, in the meantime, be endangered, the Local Government may (pending such inquiry and record), declare such land to be a protected forest, but so as not to abridge or affect any existing rights of individuals or communities.

29. The Local Government may from time to time, by notification in the local official Gazette— Power to issue notification—

- (a) declare any class of trees in a Protected Forest, or any trees in any such forest, to be reserved from a date fixed by such notification ; reserving trees,
- (b) declare that a portion of such forest be closed for such term, not exceeding twenty years, as the Local Government thinks fit, and that the rights of private persons (if any) over such portion shall be suspended during such term : Provided that the remainder of such forest be sufficient, and in a locality reasonably convenient, for the due exercise of the rights suspended in the portion so closed ; closing forest,
- (c) prohibit, from a date fixed as aforesaid, the quarrying of stone, or the burning of lime or charcoal, or the collection or subjection to any manufacturing process, or removal, of any forest-produce, in any such forest, and the breaking up or clearing for cultivation, for building, for herding cattle or for any other purpose, any land in any such forest ; and prohibiting collection of forest-produce, etc., and breaking up or clearing of land.
- (d) alter or cancel such declaration or prohibition.

30. The Collector or Deputy Commissioner of the district shall cause a translation into the language of the district, of every notification issued under section 29, to be affixed in a conspicuous place in every town and village in the neighbourhood of the forest comprised in the notification. Publication of translation of such notification in neighbourhood.

Power to
make rules
for protected
forests.

1 31. The Local Government may, from time to time ²[and subject to the control of the Governor General in Council] make rules to regulate the following matters:—

- (a) the cutting, sawing, conversion and removal of trees and timber, and the collection, manufacture and removal of forest-produce³ from protected forests;
- (b) the granting of licenses to the inhabitants of towns and villages in the vicinity of protected forests to take trees, timber or other forest-produce for their own use, and the production and return of such licenses by such persons;
- (c) the granting of licenses to persons felling or removing trees or timber or other forest-produce from such forests for the purposes of trade and the production and return of such licenses by such persons;
- (d) the payments (if any) to be made by the persons mentioned in clauses (b) and (c) of this section, for permission to cut such trees, or to collect and remove such timber or other forest produce;
- (e) the other payments, if any, to be made by them in respect of such trees, timber and produce, and the places where such payment shall be made;
- (f) the examination of forest-produce passing out of such forest;
- (g) the clearing and breaking up of land for cultivation or other purposes in such forest;
- (h) the protection from fire of timber lying in such forests and of trees reserved under section 29;
- (i) the cutting of grass and pasturing of cattle in such forests;

¹For rules under this section—

- (1) for Bombay see pp. 167, 171 and 174 of the Bombay List of Local Rules and Orders, Ed. 1896;
- (2) for protected forests of Naini Tal, Ranikhet and Lalitpur, see p. 62 of the North-Western Provinces and Oudh List of Local Rules and Orders, Ed. 1894;
- (3) for rules made by the Government of Bengal under this section and s. 41 for the protected forests in the Santal Parganas, see "Calcutta Gazette," 1911, Pt. I, p. 1093; in the Sundarbans see "Calcutta Gazette," 1892, Pt. I, 403, *ibid* 1900, Pt. I, p. 1434, in the Angul protected forests, see "Calcutta Gazette," 1901, Pt. I, p. 879;
- (4) for protected forests in the Punjab, see "Punjab Government Gazette," 1904, Pt. I, p. 76.

² The words " and subject to the control of the Governor General in Council " were inserted by s.4 of the Indian Forest (Amendment) Act, 1911 (XX of 1911.)

- (j) ¹ [killing or catching elephants,] hunting, shooting, fishing, poisoning water and setting traps or snares in such forests ;
- (k) the protection and management of any portion of a forest closed under section 29 ;
- (l) the exercise of rights referred to in section 28.

32. Any person who commits any of the following offences :—

Penalties for acts in contravention of notification under section 29.

- (a) fells, girdles, lops, taps or burns any tree reserved under section 29, or strips off the bark or leaves from, or otherwise damages, any such tree ;
- (b) contrary to any prohibition under section 29, quarries any stone, or burns any lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest-product ;
- (c) contrary to any prohibition under section 29, breaks up or clears for cultivation or any other purpose any land in any protected forest ;
- (d) sets fire to such forest, or kindles a fire without taking all reasonable precautions to prevent its spreading to any trees reserved under section 29, whether standing, fallen or felled or to any closed portion of such forest ;
- (e) leaves burning any fire kindled by him in the vicinity of any such trees or closed portion ;
- (f) fells any tree or drags any timber so as to damage any tree reserved as aforesaid ;
- (g) permits cattle to damage any such tree ;
- (h) infringes any rule made under section 31 ;

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

²[Whenever fire is caused wilfully or by gross negligence in a protected forest, the Local Government may (notwithstanding that any

¹ These words are repealed in the United Provinces, the Central Provinces and Berar, and in local areas to which the Elephants Preservation Act, 1873, is extended —see Act VI of 1879, s.2 printed, General Act, Vol. III.

² This clause was added to the section by s. 2 of the Indian Forest (Amendment) Act, 1901 (V of 1901).

penalty has been inflicted under this section) direct that in such forest or any portion thereof the exercise of any right of pasture or to forest-produce shall be suspended for such period as it thinks fit.]

Nothing in this Chapter to prohibit act done in certain cases.

33. Nothing in this Chapter shall be deemed to prohibit any act done with the permission in writing of the Forest-officer, or in accordance with rules made under section 31, or [except as regards any portion of a forest closed under section 29¹ (or any rights the exercise of which has been suspended under section 32)] in the exercise of any right recorded under section 28.

CHAPTER V.

Forests under conservancy-administration when this Act comes into force.

Forest under conservancy-administration when this Act comes into force.

34. Within twelve months from the date on which this Act comes into force in the territories administered by any Local Government, such Government shall, after consideration of the rights of the Government and private persons in all forest-lands or waste-lands then under its executive control for purposes of forest-conservancy, determine which of such land, [if any] can according to justice, equity and good conscience be classed as reserved forests or protected forests under this Act and declare, by notification in the local official Gazette, any lands classed to be reserved or protected forests, as the case may be :

Provided that such declaration shall not affect any rights of the Government or private persons to or over any land or forest-produce in any such forest, which have, previous to the date of such declaration, been inquired into, settled and recorded in a manner which the Local Government thinks sufficient :

Provided also that if any such rights have not on such date been so inquired into, settled and recorded, the Local Government shall direct that the same shall be inquired into, settled and recorded in the manner provided by this Act for reserved or protected forests, as the case may be ; and until such inquiry, settlement and record have been completed no such declaration shall abridge or affect such rights.

¹ These words were inserted by s. 23 of Act V of 1901.

CHAPTER VI.

Of the Control over Forests and Lands not being the property of Government.

35. The Local Government may, from time to time, by notification in the local official Gazette, regulate or prohibit in any forest or waste-land—

Protection of forests for special purposes.

- (a) the breaking up, or clearing of, land for cultivation ;
- (b) the pasturing of cattle ;
- (c) the firing or clearing of the vegetation ;

when such regulation or prohibition appears necessary for any of the following purposes :

first, for protection against storms, winds, rolling stones, floods and avalanches ;

second, for the preservation of the soil on the ridges and slopes and in the valleys of hilly tracts, the prevention of landslips and of the formation of ravines and torrents, and the protection of land against erosion, or the deposit thereon of sand, stones, or gravel ;

third, for the maintenance of a water-supply in springs, rivers and tanks ;

fourth, for the protection of roads, bridges, railways and other lines of communication ;

fifth, for the preservation of the public health ;

and may alter or cancel such notification.

The Local Government may, for any such purpose, construct at its own expense, in or upon any forest or waste-land, such work as it thinks fit :

Provided that no such notification shall be made or work begun until after the issue of a notice to the owner of such forest or land, calling on him to show cause, within a reasonable period to be specified in such notice, why such notification should not be made or work constructed, and until his objection (if any) and any evidence he may produce in support of the same have been heard by an officer duly appointed in that behalf and have been considered by the Local Government.

36. In case of neglect of, or wilful disobedience to, any regulation or prohibition under section 35, or if the purposes of any work to be constructed under that section so require, the Local Government may, after notice in writing to the owner of such forest or land and after considering his objections (if any), place the same under the control of a Forest-officer, and may declare that all or any of the provisions of this Act relating to reserved forests shall apply to such forest or land.

Power, in assuming management of forests.

The net profits (if any) arising from the management of such forest or land shall be paid to the said proprietor.

Expropriation
of forests in
certain cases.

37. In any case under this Chapter in which the Local Government considers that, in lieu of placing the forest or land under the control of a Forest-officer, the same should be acquired for public purposes the Local Government may proceed to acquire it in the manner prescribed by the Land Acquisition Act, 1870.¹

I of 1870.

The owner of any forest or land comprised in any notification under section 35 may, at any time not less than three or more than twelve years from the date thereof, require that such forest or land shall be acquired for public purposes, and the Local Government shall acquire such forest or land accordingly.

Protection of
forests at
request of
owners.

38. The owner of any land or, if there be more than one owner thereof, the owners of shares therein amounting in the aggregate to at least two-thirds thereof may, with a view to the formation or conservation of forests thereon, represent in writing to the Collector or Deputy Commissioner their desire—

(a) that such land be managed on their behalf by the Forest-officer as a reserved or a protected forest on such terms as may be mutually agreed upon; or

(b) that all or any of the provisions of this Act be applied to such land.

In either case, the Local Government may, by notification in the local official Gazette, apply to such land such provisions of this Act as it thinks suitable to the circumstances thereof and as may be desired by the applicants.

Any such notification may be altered or cancelled by a like notification.

CHAPTER VII.

Of the Duty on Timber and other Forest-produce.²

39. The Local Government, ³[subject to the control] of the Governor-General in Council, may levy a duty in such manner, at such places and

¹ Read now the Land Acquisition Act, 1894 (I of 1894), General Acts, Vol. VI.

² This heading was substituted for the original heading, by the Forest Act, 1890 (V of 1890) s. 8 (1), General Acts, Vol. V.

³ The words "subject to the control" were substituted for the words "with the previous sanction" by s. 5 of the Indian Forest (Amendment) Act, 1911 (XV of 1911).]

Power to
impose duty
on timber
and other
forest-
produce.

at such rates as it may from time to time prescribe by notification in the local official Gazette on all timber ¹[or other forest-produce]—

- (a) which is produced in British India, and in respect of which the Government has any right;
- (b) which is brought from any place beyond the frontier of British India :

²[Provided that a notification directing the levy of a duty, in the case of timber and other forest-produce brought from any place beyond the frontier of British India, which is not under the control of the Local Government, shall not be issued without the previous sanction of the Governor General in Council.]

In every case in which such duty is directed to be levied *ad valorem* the Local Government may, ³ [subject to the like control or sanction respectively], from time to time fix, by like notification, the value on which such duty shall be assessed. Power to fix value for *ad valorem* duty.

All duties on timber ¹[or other forest-produce], which, at the time when this Act comes into force in any territory, are levied therein under the authority of the Local Government, shall be deemed to be and to have been duly levied under the provisions of this Act.

40. Nothing in this Chapter shall be deemed to limit the amount (if any) chargeable as purchase-money or royalty on any timber or other forest-produce, although the same is levied on such timber or produce while in transit in the same manner as duty is levied. Limit not to apply to purchase-money or royalty.

CHAPTER VIII.

Of the Control of Timber and other Forest-produce in Transit.

41. The control of all rivers and their banks as regards the floating of timber, as well as the control of all timber and other forest-produce in transit by land or water, is vested in the Local Government, and it may from time to time make rules to regulate the transit of all timber and other forest-produce. Power to make rules to regulate transit of forest-produce.

¹ These words were inserted by the Forest Act, 1890 (V of 1890), s. 8 (2), General Acts, Vol. V.

² This proviso was added by s. 5 of the Indian Forest (Amendment) Act 1911, (XV of 1911).

³ The words "subject to the like control or sanction respectively" were substituted for the words "with the like sanction" by s. 5 of the Indian Forest (Amendment) Act, 1911 (XV of 1911).

¹ Such rules may (among other matters)—

- (a) prescribe the routes by which alone timber ²[or other] forest-produce may be imported, exported or moved, into, from or within, British India;
- (b) prohibit the import and export or moving of such timber or other produce without a pass from an officer duly authorized to issue the same, or otherwise than in accordance with the conditions of such pass;
- (c) provide for the issue, production and return of such passes and for the payment of fees therefor;
- (d) provide for the stoppage, reporting, examination and marking of timber or other forest-produce in transit, in respect of which there is reason to believe that any money is payable to Government on account of the price thereof, or on account of any duty, fee, royalty or charge due thereon, or to which it is desirable for the purposes of this Act to affix a mark;
- (e) provide for the establishment and regulation of depôts to which such timber or other produce shall be taken by those in charge of it for examination, or for the payment of such money, or in order that such marks may be affixed to it; and the conditions under which such timber or other produce shall be brought to, stored at, and removed from, such ³[depôts];

For rules made under this section for—

- (1) Bombay, see list on p. lix of the Bombay List of Local Rules and Orders;
- (2) Central Provinces, see p. 25 of the Central Provinces List of Local Rules and Orders, Ed. 1896, and "Central Provinces Gazette," 1912, Pt. I, p. 30 and 31;
- (3) Coorg, see "Coorg District Gazette," 1912, Pt. I, p. 31;
- (4) United Provinces & North-Western Provinces and Oudh List of Local Rules and Orders, Ed. 1891, p. 66.

For rules made by the Government of Bengal to regulate the transit of timber on the Gandak River, so far as it flows within the jurisdiction of that Government, see "Calcutta Gazette," 1893, Pt. I, p. 141.

For rules made for the Santal Parganas as to the management of protected forests under this section in conjunction with s. 31, see "Calcutta Gazette," 1901, Pt. I, p. 67.

For river rules for the Chittagong Hill Tracts see "Calcutta Gazette," 1881, Pt. I, p. 930; *ibid* 1882, Pt. I, p. 607; *ibid*, 1883, Pt. I, p. 941; *ibid*, 1893, Pt. I, p. 836; *ibid*, 1901, Pt. I, p. 904.

For rules to regulate the import of timber and other forest-produce into Simla, see "Punjab Gazette," 1904, Pt. I, p. 315.

² These words were substituted for the words "and other" by the Forest Act, 1890 (V of 1890) s. 8 (3), printed General Acts, Vol. V.

³ "Depôts" was substituted for "depôt" by the Repealing and Amending Act, 1891 (XII of 1891), General Acts, Vol. VI.

- (f) prohibit the closing up or obstructing of the channel or banks of any river used for the transit of timber or other forest-produce, and the throwing of grass, brush-wood, branches and leaves into any such river or any act which may cause such river to be closed or obstructed ;
- (g) provide for the prevention and removal of any obstruction of the channel or banks of any such river, and for recovering the cost of such prevention or removal from the person whose acts or negligence necessitated the same ;
- (h) prohibit absolutely, or subject to conditions, within specified local limits, the establishment of saw-pits, the converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same, and the possession or carrying of marking hammers or other implements used for marking timber ;
- (i) regulate the use of property marks for timber, and the registration of such marks ; prescribe the time for which such registration shall hold good ; limit the number of such marks that may be registered by any one person, and provide for the levy of fees for such registration.

[The Local Government may direct that any rule made under this section shall not apply to any specified class of timber or other forest-produce or to any specified local area.]

42. The Local Government may, by such rules, prescribe as ² penalties for the infringement thereof imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

Penalty for breach of rules made under section 41.

Double penalties may be inflicted in cases where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful authority, or if the offender has been previously convicted of a like offence.

43. The Government shall not be responsible for any loss or damage which may occur in respect of any timber or other forest-produce while at a dépôt established under a rule made under section 41, or while detained

Government and Forest-officers not liable for damage to forest-produce at dépôt.

² This paragraph was added by the Forest Act, 1890 (V of 1890), s. 8(4); printed General Acts, Vol. V.

As to penalties for breach of rules under s. 41, see "Coorg District Gazette," 12, Pt. I., p. 31.

elsewhere for the purposes of this Act; and no Forest-officer shall be responsible for any such loss or damage unless he causes such loss or damage negligently, maliciously or fraudulently.

All persons bound to aid in case of accident at depôt.

44. In case of any accident or emergency involving danger to any property at any such depôt, every person employed at such depôt, whether by the Government or by any private person, shall render assistance to any Forest-officer or Police-officer demanding his aid in averting such danger and securing such property from damage or loss.

CHAPTER IX.

Of the Collection of Drift and Stranded Timber.

45. All timber found adrift, beached, stranded or sunk;

all wood or timber bearing marks which have not been registered under section 41, or on which the marks have been obliterated, altered or defaced by fire or otherwise, and,

in such areas as the Local Government directs, ¹ all unmarked wood and timber,

shall be deemed to be the property of Government unless and until any person establishes his right and title thereto, as provided in this Chapter.

Such timber may be collected by any Forest-officer or other person entitled to collect the same by virtue of any rule made under section 51, and may be brought to such depôts as the Forest-officer may from time to time notify as depôts for the reception of drift timber.

The Local Government may, by notification in the local official Gazette, exempt any class of timber from the provisions of this section, and withdraw such exemption.

46. Public notices shall from time to time be given by the Forest-officer of timber collected under section 45. Such notice shall contain a

¹ For rules made under this section for—

(1) Central Provinces, see Central Provinces List of Local Rules and Orders, Ed. 1896, p. 30;

(2) United Provinces, see North-Western Provinces and Oudh List of Local Rules and Orders, Ed. 1894, p. 66;

(3) Punjab, see "Punjab Gazette," 1902, Pt. I, p. 400.

Certain kinds of timber to be deemed property of Government until title thereto proved, and may be collected accordingly.

Notice to claimants of drift-timber.

description of the timber and shall require any person claiming the same to present to such officer, within a period not less than two months from the date of such notice, a written statement of such claim.

47. When any such statement is presented as aforesaid, the Forest-officer may, after making such inquiry as he thinks fit, either reject the claim after recording his reasons for so doing, or deliver the timber to the claimant.

Procedure on claim preferred to such timber.

If such timber is claimed by more than one person the Forest-officer may either deliver the same to any of such persons whom he deems entitled thereto, or may refer the claimants to the Civil Courts, and retain the timber pending the receipt of an order from any such Court for its disposal.

Any person whose claim has been rejected under this section may ¹[within three months], from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any compensation or costs against the Government, or against any Forest-officer, on account of such rejection, or the detention or removal of any timber, or the delivery thereof to any other person under this section.

On rejection of claim to such timber, claimant may institute suit.

No such timber shall be subject to process of any Civil, Criminal or Revenue Court until it has been delivered, or a suit has been brought, as provided in this section.

48. If no such statement is presented as aforesaid, or if the claimant omits to prefer his claim in the manner and within the period prescribed by the notice issued under section 46, or on such claim having been so preferred by him and having been rejected, omits to institute a suit to recover possession of such timber within the further period limited by section 47, the ownership of such timber shall vest in the Government, or, when such timber has been delivered to another person under section 47, in such other person free from all encumbrances ²[not created by him].

Disposal of unclaimed timber. a

49. The Government shall not be responsible for any loss or damage which may occur in respect of any timber collected under section 45, and no Forest-officer shall be responsible for any such loss or damage unless he causes such loss or damage negligently, maliciously, or fraudulently.

Government and its officers not liable for damage to such timber.

¹ These words were substituted for the words "within two months" by the Forest Act, 1890 (V of 1890), s. 9, printed, General Act Vol. V.

² These words were added by Act V of 1890, s. 10.

Payments to be made by claimant before timber is delivered to him.

50. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest-officer or other person entitled to receive it such sum on account thereof as may be due under any rule made in pursuance of section 51.

Power to make rules and prescribe penalties.

51. The Local Government may, from time to time, make rules¹ to regulate the following matters (namely) :—

- (a) the salving, collection and disposal of all timber mentioned in section 43 ;
- (b) the use and registration of boats used in salving and collecting timber ;
- (c) the amounts to be paid for salving, collecting, moving, storing and disposing of such timber ;
- (d) the use and registration of hammers and other instruments to be used for marking such timber.

The Local Government may from time to time prescribe, as penalties for the infringement of any rules made under this section, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

CHAPTER X.

Penalties and Procedure.

Seizure of property liable to confiscation.

52. When there is reason to believe that a forest-offence has been committed in respect of any forest-produce, such produce together with all tools, boats, carts and cattle used in committing any such offence, may be seized by any Forest-officer or Police-officer.

¹ For rules made under this section for—

(1) Bombay, see pp. 191 and 193 of the Bombay List of Local Rules and Orders, Ed. 1896, Vol. I ;

(2) Central Provinces see p. 30 of the Central Provinces List of Local Rules and Orders, Ed. 1896 ;

(3) United Provinces, see "United Provinces Gazette," 1902, Pt. I, p. 735 ;

(4) Bengal, for the Jalpaiguri and Darjeeling Districts, see "Calcutta Gazette," 1901, Pt. I, p. 29 ;

(5) Sindh, see "Bombay Government Gazette," 1902, Pt. I, p. 297.

Every Officer seizing any property under this section shall place on such property a mark indicating that the same has been so seized, and shall, as soon as may be, make a report of such seizure to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made :

Application
for confisca-
tion.

Provided that, when the forest-produce with respect to which such offence is believed to have been committed is the property of Government and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

53. Upon the receipt of any such report the Magistrate shall, with all convenient despatch, take such measures as may be necessary for the arrest and trial of the offender and the disposal of the property according to law.

Procedure
thereupon.

54. All timber or forest-produce which is not the property of Government, and in respect of which a Forest-offence has been committed, and all tools, boats, carts and cattle used in committing any forest-offence shall be liable to confiscation.

Forest-pro-
duce, tools,
etc., when
liable to
confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

55. When the trial of any forest-offence is concluded, any forest-produce in respect of which such offence has been committed shall, if it is the property of Government or has been confiscated, be taken charge of by a Forest-officer and in any other case may be disposed of in such manner as the Court may direct.

Disposal, on
conclusion of
trial for
forest-
offence, of
produce in
respect of
which it was
committed.

56. When the offender is not known, or cannot be found, the Magistrate may, if he finds that an offence has been committed, order the property in respect of which the offence has been committed to be confiscated and taken charge of by the Forest-officer, or to be made over to the person ¹[whom the Magistrate deems to be entitled to the same] :

Procedure
when
offender not
known, or
cannot be
found.

Provided that no such order shall be made until the expiration of one month from the date of seizing such property, or without hearing the person (if any) claiming any right thereto, and the evidence (if any) which he may produce in support of his claim.

¹ These words were substituted for the words "whom he deems to be entitled to be same" by the Forest Act, 1890 (V of 1890), s. 11, General Acts, Vol. V.

Procedure as to perishable property seized under section 52.

57. The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under section 52 and subject to speedy and natural decay, and may deal with the proceeds as he would have dealt with such property if it had not been sold.

Appeal from orders under sections 54, 55 and 56.

58. The officer who made the seizure under section 52, or any of his official superiors, or any person claiming to be interested in the property so seized, may, within one month from the date of any order passed under section 51, 55 or 56, appeal therefrom to the Court to which orders made by such Magistrate are ordinarily appealable, and the order passed on such appeal shall be final.

Property when to vest in Government.

59. When an order for the confiscation of any property has been passed under section 54 or 56, as the case may be, and the period limited by section 58 for an appeal from such order has elapsed and no such appeal has been preferred, or when, on such an appeal being preferred, the Appellate Court confirms such order in respect of the whole or a portion of such property, such property or such portion thereof, as the case may be, shall vest in the Government free from all incumbrances.

Saving of power to release property seized.

60. Nothing hereinbefore contained shall be deemed to prevent any officer empowered in this behalf by the Local Government from directing at any time the immediate release of any property seized under section 52.

Punishment for wrongful seizure.

61. Any Forest-officer or Police-officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Penalty for counterfeiting or defacing marks on trees and timber and for altering boundary-marks.

62. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code,¹

- (a) knowingly counterfeits upon any standing tree a mark used by Forest-officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person; or

(b) alters, defaces or¹ obliterates any such mark placed on a tree or on timber by or under the authority of a Forest-officer; or

(c) alters, moves, destroys or defaces any boundary mark of any forest or waste-land to which the provisions of this Act are applied,

shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

63. Any Forest-officer or Police-officer may, without orders from a Magistrate and without a warrant, arrest any person against whom a reasonable suspicion exists of his having been concerned in any forest-offence punishable with imprisonment for one month or upwards.

Power to arrest without warrant.

Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before the Magistrate having jurisdiction in the case, ¹[or to the officer in charge of the nearest Police station.]

Nothing in this section shall be deemed to authorize such arrest for any act which is an offence under Chapter IV of this Act, unless such act has been prohibited under section 29, clause (c).

64. Every Forest-officer and Police-officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest-offence.

Power to prevent commission of offence.

65. The Magistrate of the district² and any Magistrate of the first class specially empowered in this behalf by the Local Government may try summarily under the ³Code of Criminal Procedure, any first-offence punishable only with imprisonment for a term not exceeding six months or fine not exceeding five hundred rupees, or both.

Power to try offences summarily.

66. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made under it, or from being liable under such other law to any higher punishment or penalty than that provided by the rules made under this Act:

Operation of other laws not barred.

Provided that no person shall be punished twice for the same offence.

¹ These words were added by the Forest Act, 1890 (V of 1890), s. 12, General Act Vol. V.

² Now District Magistrate—see the Code of Criminal Procedure, 1868 (Act V of 1868), s. 3, General Acts, Vol. VI. See now the revised edition of the Code as modified up to 1st April, 1903.

³ The reference should now be taken as being made to Act V of 1898.

Power to
compound
offences.

167. (1) The Local Government may, from time to time, by notification in the official Gazette, empower a Forest-officer by name, or as holding an office,—

(a) to accept from any person against whom a reasonable suspicion exists that he has committed any forest-offence, other than an offence specified in section 61 or section 62, a sum of money by way of compensation for the offence which such person is suspected to have committed ; and,

(b) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer.

(2) On the payment of such sum of money, or such value, or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged, the property, if any, seized shall be released, and no further proceedings shall be taken against such person or property.

(3) A Forest-officer shall not be empowered under this section unless he is a Forest-officer of a rank not inferior to that of a Ranger and is in receipt of a monthly salary amounting to at least one hundred rupees, and the sum of money accepted as compensation under subsection (1), clause (a), shall in no case exceed the sum of fifty rupees.

Presumption
that forest-
produce
belongs to
Government.

68. When in any proceedings taken under this Act, or in consequence of anything done under this Act, a question arises as to whether any forest-produce is the property of the Government, such produce shall be presumed to be the property of the Government until the contrary is proved.

CHAPTER XI.

Cattle-Trespass.

Cattle-tres-
pass Act,
1871, to
apply.

69. Cattle trespassing in a reserved forest or in any portion of a protected forest which has been lawfully closed to grazing shall be deemed to be cattle doing damage to a public plantation within the meaning of the 11th section of the ²Cattle-trespass Act, 1871, and may be seized and impounded as such by any Forest-officer or Police-officer. 1 of 1871.

² This section was substituted for the original s. 67 by the Forest Act, 1890 (V) of 1890, s. 13, printed, General Acts, Vol. V.

³ See now the revised edition of the Act, as modified up to 1st December 1903.

70. The Local Government may, from time to time, by notification in the local official Gazette, direct that in lieu of the fines fixed by the 12th section of the Act last aforesaid there shall be levied for each head of cattle impounded under section 69 of this Act such fines as it thinks fit but not exceeding the following, that is to say :—

For each elephant	ten rupees.
For each buffalo or camel	two „
For each horse, mare, gelding, pony, colt, filly, male, bull, bullock, cow or heifer	one rupee.
For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid	eight annas.

Power to alter fines fixed by that Act.

CHAPTER XII.

Of Forest-Officers.

71. The Local Government may invest any Forest-officer by name or as holding an office, with the following powers, that is to say :—

Local Government may invest Forest-officers with certain powers.

(a) power to enter upon any land and to survey, demarcate and make a map of the same ;—

(b) the powers of a Civil Court to compel the attendance of witnesses and the production of documents ;

X of 192.

(c) power to issue a search-warrant under the Code of Criminal Procedure¹ ;

(d) power to hold an inquiry into forest-offences, and, in the course of such inquiry, to receive and record evidence.

Any evidence recorded under clause (d) of this section shall be admissible in any subsequent trial before a Magistrate, provided that it has been taken in the presence of the accused person.

XLV of 1860.

72. All Forest-officers shall be deemed to be public servants within the meaning of the Indian Penal Code.²

Forest-officers deemed public servants.

73. No suit shall lie against any public servant for anything done by him in good faith under this Act.

Indemnity for acts done in good faith.

¹ Read now the Code of Criminal Procedure, 1898 (Act V of 1898). See now the revised edition of the Act, as modified up to 1st April 1903.

² See now the revised edition of the Code, as modified up to 1st April, 1903.

Forest-officers not to trade.

74. Except with the permission in writing of the Local Government no Forest-officer shall, as principal or agent, trade in timber or other forest-produce, or be or become interested in any lease of any forest or in any contract for working any forest, whether in British or Foreign territory.

CHAPTER XIII.

Subsidiary Rules.

Additional powers to make rules.

75. The Local Government may, from time to time, make rules¹—

- (a) to prescribe and limit the powers and duties of any Forest-officer under this Act² ;
- (b) to regulate the rewards to be paid to officers and informers out of the proceeds of fines and confiscations under this Act ;
- (c) for the preservation, reproduction, and disposal of trees and timber belonging to Government, but grown on lands belonging to or in the occupation of private persons ; and,
- (d) generally, to carry out the provisions of this Act.

Penalties for breach of rules.

76. Any person breaking any rule under this Act, for the breach of which no special penalty is provided, shall be punished with imprisonment for a term which may extend to one month, or fine which may extend to five hundred rupees, or both.

Rules when to have force of law.

77. All rules made by the Local Government under this Act shall be published in the local official Gazette, and shall thereupon, so far as they are consistent with this Act, have the force of law :

* * * * *

¹ For rules made under this section for—

(1) Bombay, see pp. 185 to 200 of the Bombay List of Local Rules and Orders, Vol. I, Ed. 1896 ;

(2) Central Provinces, see pp. 31 to 31 of the Central Provinces List of Local Rules and Orders, Ed. 1896, and "Central Provinces Gazette," 1900, Pt. I, p. 214 ;

(3) United Provinces, see pp. 68 to 70 of the "North-Western Provinces and Oudh List of Local Rules and Orders, Ed. 1894 ; see also North-Western Provinces and Oudh Gazette," 1899, Pt. I, p. 494 ; *ibid*, 1900, Pt. I, p. 491 ; "United Provinces Gazette," 1907, Pt. I, p. 189, and under cl. (a) for the Kumaon Division, see *ibid*, 1910, Pt. I, p. 548.

(4) Punjab, see "Punjab Gazette," 1899, Pt. I, p. 748.

² For notification declaring that certain officers shall exercise the powers of Forest-officers under certain sections see "Calcutta Gazette," 1901, Pt. I, p. 28.

³ For rules by the Government of Bengal, see "Calcutta Gazette," 1906, Pt. I, p. 1064.

⁴ For rules under cl. (d) as to measurement and registration of boats in the Sunderbans Division, see "Calcutta Gazette," 1906, Pt. I, p. 1657.

⁵ See also s. 23 of the General Clauses Act, 1897 (X of 1897).

⁶ The proviso to this section was repealed by s. 6 of the Indian Forest (Amendment) Act 1911 (XV of 1911).

CHAPTER XIV.

Miscellaneous.

78. Every person who exercises any right in a reserved or protected forest, or who is permitted to take any forest-produce from, or to cut and remove timber or to pasture cattle in, such forest, and

Persons bound to assist Forest-officers and Police-officers.

every person who is employed by any such person in such forest, and

every person in any village contiguous to such forest who is employed by the Government, or who receives emoluments from the Government for services to be performed to the community,

shall be bound to furnish without unnecessary delay to the nearest Forest-officer or Police-officer any information he may possess respecting the commission of, or intention to commit, any forest-offence, and shall assist any Forest-officer or Police-officer *** ¹—

(a) in extinguishing any fire occurring in such forest ;

(b) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest ;

¹ [and shall assist any Forest-officer or Police-officer demanding his aid] —

(c) in preventing the commission in such forest of any forest-offence ; and

(d) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

79. If the Government and any person be jointly interested in any forest or waste-land, or in the whole or any part of the produce thereof, the Local Government may, from time to time, either—

Management of forests, the joint-property of Government and other persons.

(a) undertake the management of such forest, waste-land or produce, accounting to such person for his interest in the same ; or

(b) ² issue such regulations for the management of the forest, waste-land or produce by the person so jointly interested as it deems necessary for the management thereof and the interests of all parties therein.

¹ The words "demanding his aid" were omitted and the words at the end of clause (b) inserted by s. 4 of the Indian Forest (Amendment) Act, 1901 (V of 1901).

For Coorg rules, see "Coorg District Gazette," 1912, Pt. I, p. 31.

When the Local Government undertakes, under clause (a) of this section, the management of any forest, waste-land or produce, it may from time to time, by notification in the local official Gazette, declare that any of the provisions contained in Chapters II and IV of this Act shall apply to such forest, waste-land or produce, and thereupon such provisions shall apply accordingly.

Failure to perform service for which a share in produce of Government forest is enjoyed.

80. If any person be entitled to a share in the produce of any forest which is the property of Government or over which the Government has proprietary rights, or to any part of the forest-produce of which the Government is entitled, upon the condition of duly performing any service connected with such forest, such share shall be liable to confiscation in the event of the fact being established to the satisfaction of the Local Government that such service is no longer so performed :

Provided that no such share shall be confiscated until the person entitled thereto, and the evidence (if any) which he may produce in proof of the due performance of such service, have been heard by an officer duly appointed in that behalf by the Local Government.

Recovery of money due to Government.

81. All money payable to the Government under this Act, or under any rule made under this Act, or on account of the price of any forest-produce, or of expenses incurred in the execution of this Act in respect of such produce, may, if not paid when due, be recovered under the law for the time being in force as if it were an arrear of land-revenue.

Lien on forest-produce for such money.

82. When any such money is payable for, or in respect of, any forest-produce, the amount thereof shall be deemed to be a first charge on such produce, and such produce may be taken possession of by a Forest-officer until such amount has been paid.

Power to sell such produce.

If such amount is not paid when due, the Forest-officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

The surplus (if any), if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to His Majesty.

Land required under this Act to be deemed to be needed for a public purpose under Land Acquisition Act, 1870.

83. Whenever it appears to the Local Government that any land is required for any of the purposes of this Act, such land shall be deemed to be needed for a public purpose within the meaning of the Land Acquisition Act, 1870,¹ section 4.

X of 1870

¹ Read now the Land Acquisition Act, 1894 (I of 1894)—see s. 2 of the Act—General Acts, cl. VI.

IX of 1872.

¹ 84. When any person, in compliance with any rule under this Act binds himself by any instrument to perform any duty or act, or covenants by any instrument that he, or that he and his servants and agents, will abstain from any act, the whole sum mentioned in such instrument as the amount to be paid in case of a breach of the conditions thereof may, notwithstanding anything in section 74 of the ²Indian Contract Act, 1872, be recovered from him in case of such breach as if it were an arrear of land-revenue.

Recovery of
penalties due
under bond.

¹ S. 84 was added by the Forest Act, 1890 (V of 1890), s. 14, General Acts, Vol. V.

² Printed, General Acts, Vol. II; see now the revised edition of the Act as modified up to 1st September, 1899, with footnotes brought down to June 30th, 1901.

SCHEDULE.

(See section 1.)

ENACTMENTS REPEALED.

Number and year of Act or Regulation.	TITLES.	Extent of repeal.
Act VII of 1865 ...	An Act to give effect to rules for the management and preservation of Government forests.	So much as has not been repealed.
Act VII of 1869 ...	An Act to give validity to certain rules relating to forests in British Burma.	The whole.
Act XIII of 1873 ...	An Act to amend the law relating to timber floated down the rivers of British Burma.	So much as has not been repealed.
¹ Regulation IX of 1874	The Arakan Hill District Laws Regulation, 1874.	So far as it relates to Acts VII of 1865 and VII of 1869.

¹ Repealed in Lower Burma to the extent mentioned by Burma Forest Act, 1881 (19 of 1881).

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and other Acts having the force of law.**

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Rules and Notifications issued under the Indian Forest and other Acts having the force of law.

SECTION I.

NOTIFICATIONS CONSTITUTING STATE FORESTS.

(a) RESERVED FORESTS.

Division.	Forests.	Number and date of Notification.	Remarks.
1	2	3	4
Sambalpur ...	Sambalpur ...	<p>Notification Nos. 5036 and 5038, dated the 2nd December 1878, under Section 19 of the Indian Forest Act.</p> <p>Notification Nos. 5609 and 5611, dated the 17th December 1894, under Section 19 of the Indian Forest Act.</p> <p>Notification No. 2740, dated the 11th June 1894, under Section 19 of the Indian Forest Act.</p> <p>Notification No. 5972, dated the 20th December 1894, under Section 19 of the Indian Forest Act.</p> <p>Notification No. 1632, dated the 14th March 1907, under Section 19 of the Indian Forest Act.</p> <p>Notification No. 5527-R, dated the 31st July 1913, under Section 19 of the Indian Forest Act.</p>	<p>Addition of 14 acres aggregating 2,598 acres in Baripabar.</p>
Angul ...	All forests except Turva.	<p>Notification issued under Section 19 of the Indian Forest Act.</p> <p>Notification No. 2851-For., dated the 11th June 1893.</p>	<p>Notification No. 1597-For., dated the 20th March 1891, gives a revised description of boundaries.</p>
	Turva ...	<p>Notification No. 3523-For., dated the 23rd July 1895.</p>	
Puri ...	<p>Churung* ...</p> <p>Chandka* ...</p> <p>Harapita* ...</p> <p>Tarakai ...</p> <p>Tampura* ...</p> <p>Katwal* ...</p> <p>Arang* ...</p> <p>Rajin* ...</p>	<p>Notifications, dated the 23rd June and 3rd July 1885 and 13th November 1891, under Section 19 of the Indian Forest Act.</p>	

* Notification No. 5932, dated the 2nd November 1903, gives a revised description of boundaries of these blocks.

Division.	Forests.	Number and date of Notification.	Remarks.
1	2	3	4
Puri—concd. ...	Bartuari hill* ... } Panchigiri* ... }	Notification, dated the 23rd June 1857, under Section 19 of the Indian Forest Act.	
	Mendhaval ... } Haripur ... } Majana ... } Jaimangal ... } Nigapali ... } Bharatpur ... } Rampur ... }	Notification, dated the 16th November 1956, under Section 10 of the Indian Forest Act.	
	Bankar* ... } Sulia ... } Kuhuri ... }	Notification, dated the 3rd July 1883, under Section 19 of the Indian Forest Act.	
	Jamujhari ... } Bhola ... } Daspur ... } Maunbandh ... } Pangarsingh ... }	Notification, Nos 1857, 1859, 1859, 1860 and 1861, dated the 10th October 1911, under Section 10 of the Indian Forest Act.	About 2033 acres.
	<i>Exclusions.</i>		
	Chandla ... } Haripur ... } Mendhaval ... } Haripur ... } Kuhuri ... } Sulia ... }	Notification No. 1053-For., dated the 16th May 1902, under Section 26 of the Indian Forest Act.	About 500 acres. " 949 " " 11 " " 107 " " 425 " " 476 "
Palamanu ...	Koderma ..	Notification, dated 24th June 1830, under Section 19 of the Indian Forest Act.	
		Notification, dated the 20th June 1932, under Section 19 of the Indian Forest Act.	In addition, area about 10,047 acres.
	Khurichutta ...	Notification, No 976, dated the 25th February 1873, under Section 10 of the Indian Forest Act.	
	All forests in the Palamanu district except those noted below.	Notification, dated the 27th January 1879, under Section 31 of the Indian Forest Act.	Notification No. 2179, dated the 20th September 1901 amends boundaries of Kumandi Reserved Forest.
	Toongail ..	Notification, dated the 15th October 1891, under Section 10 of the Indian Forest Act.	
	Thatan ... } Porees ... } Ooreya ... }	Notification, dated the 15th August 1893, under Section 19 of Indian Forest Act.	

* Notification No. 2182, dated the 3rd November 1903, gives a revised description of boundaries of these blocks.

Division.	Forais.	Number and date of Notification.	Remarks.
1	2	3	4
	<i>Exclusions.</i>		
	Betlah ...	Notification, dated the 27th January 1883, under Section 26 of the Indian Forest Act.	Area about 193 acres.
	Barasund ...	Ditto ...	Area about 2,569 acres.
		Notification, dated the 17th May 1882, under Section 19, Indian Forest Act.	
Singhbhum*	Baranda ...	Notification, dated the 13th November 1858, under Section 19 of the Indian Forest Act.	An addition Sankojogoda, area about 1,370 acres.
		Notification, No. 2929, dated 28th May 1894, under Section 19 of the Indian Forest Act.	An addition Thokohad, area about 520 acres.
		Notifications Nos. 1151-For., and 1152-For., dated the 14th March 1910, under Section 19 of the Indian Forest Act.	An addition of 5,018 acres.
	Kolhan :—		
	Loda ... } Latu ... }	Notification, dated the 4th September 1884, under Section 19 of the Indian Forest Act.	
	Porahat ...	Notification, dated the 5th February 1890, under Section 19 of the Indian Forest Act.	
		Notification No. 896-T.R., dated the 3rd June 1903, under Section 38 of the Indian Forest Act.	Extends provision of Indian Forest Act to Porahat Estate.
Kolhan	Horhap ...	Notification, dated the 8th September 1883, under Section 19 of the Indian Forest Act.	
	Saitba ... } Santara ... }	Notification, dated the 4th September 1884.	

* Notification No. 1146-For., dated the 22nd February 1907 amends the description of boundaries.

(b) PROTECTED FORESTS.

(Notified under section 28 of the Forest Act.)

Locality.	Forest Division.	Number and date of Notification.
Santal Parganas	Santal Parganas	No. 4841 For., dated 2nd November 1894.
Chota Nagpur	{ Palamau... Singhbhum }	No. 3580 For., dated 17th July 1894.
Palamau	Palamau	No. 1488 For., dated 15th March 1906.
Kolhan	{ Singhbhum Kolhan }	Notifying blocks which continue to be Protected Forests.
		No. 2374 For., dated 8th August 1906.
		Notification No. 901 For., dated 23rd May 1905.
Kolhan	Kolhan	No. 2374, dated 8th August 1906, No. 904, dated 23rd May 1915, No. 172T.R., dated 22nd April 1910.
Porabhat	Singhbhum	Notifying blocks which continue to be Protected Forests.
		Notification No. 896 T.-R. dated 3rd June, 1903, under section 38, Forest Act.
Khurda	Puri	Notification, dated 9th August 1880.
Angul	Angul	Notification No. 403T.R.—For., dated 12th June 1899.
Sambalpur	Sambalpur	Notification No. 1812T.R., dated 9th September 1909.
Shahabad (Rohtas and Chainpur Parganas.)	Palamau	No. 5441 For., dated 16th December 1895.

SECTION II.

(a) Forest Officers.

*In exercise of the power conferred by the definition of "Forest-officer" in section 2 of the Indian Forest Act, 1878 (VII of 1878), the Lieutenant-Governor in Council is pleased to appoint the Officers of the Forest Department, Bihar and Orissa, who are mentioned in column 1 of the following table, to discharge the functions of a "Forest-officer" under the sections of the said Act which are mentioned opposite their names in column 2 of the said table:—

Officers.	Sections of the Act.	Brief description of functions.
1	2	3
I. The Conservator of Forests, Bihar and Orissa ...	24 ...	Power to stop ways and water-courses in reserved forests. [N.B.—This power is exercisable only with the previous sanction of the Commissioner of the Division in which the reserved forest is situated.]
	25 (c) ... All sections mentioned hereafter in this column.	Power to notify the seasons at which fire may be kindled, kept or carried in a reserved forest.
II. All— (i) Deputy Conservators, (ii) Assistant Conservators, (iii) Extra Deputy Conservators, and (iv) Extra Assistant Conservators, in charge of Forest Divisions, when within the local limits of their respective divisions.	20 ... 25, penultimate paragraph. 33 ... 45, paragraph 2 46 ... 47, paragraphs 1 and 2. 50 52, paragraph 2	Publication of translation of notifications declaring forests to be reserved. Power to permit prohibited acts in a reserved forest. Power to permit prohibited acts in a protected forest. Power to notify depots for the reception of drift and other timber. Giving notice of timber collected under section 45. Powers for dealing with statements of claim to drift and other timber. Power to receive payments on account of drift and other timber. Power to sell forest produce for Government dues.

Officers.	Section of the Act.	Brief description of functions.
1	2	3
<p>III. All—</p> <p>(i) Deputy Conservators, (ii) Assistant Conservators, (iii) Extra Deputy Conservators, (iv) Extra Assistant Conservators, and (v) Rangers in receipt of a salary of at least Rs. 100 <i>per mensem</i>, who are subordinate to any officer mentioned in clause II above, when specially authorised in this behalf by the Conservator of Forests.</p>	<p>25 penultimate paragraph.</p> <p>33 ...</p>	<p>Power to permit prohibited acts in a reserved forest.</p> <p>Power to permit prohibited acts in a protected forest.</p>
<p>IV. All—</p> <p>(i) Rangers in receipt of a salary of less than Rs. 100 <i>per mensem</i>, and (ii) Foresters, who are subordinate to any officer mentioned in clause II above, when specially authorised in this behalf by the Conservator of Forests.</p>	<p>25 penultimate paragraph.</p> <p>33 ...</p>	<p>Power to permit prohibited acts in a reserved forest.</p> <p>Power to permit prohibited acts in a protected forest.</p>
<p>V. All—</p> <p>(i) Deputy Conservators, (ii) Assistant Conservators, (iii) Extra Deputy Conservators, (iv) Extra Assistant Conservators, (v) Rangers, (vi) Foresters, and (vii) Forest Guards, whether on permanent or temporary establishments.</p>	<p>45, paragraph 2</p> <p>52, paragraph 1</p> <p>55 ...</p> <p>56 ...</p> <p>69 ...</p> <p>82, paragraph 1</p>	<p>Power to collect drift and other timber.</p> <p>Power to seize property when a forest offence has been committed.</p> <p>Power to take charge of forest produce on the conclusion of a trial of a forest-offence.</p> <p>Power to accept charge of confiscated property when the offender is not known.</p> <p>Power to seize and impound cattle trespassing in a reserved or protected forest.</p> <p>Power to take possession of forest-produce until Government dues are paid.</p>

Officers.	Sections of the Act.	Brief description of functions
1	2	3
VI. All— (i) Deputy Conservators, (ii) Assistant Conservators, (iii) Extra Deputy Conservators, (iv) Extra Assistant Conservators, (v) Rangers, (vi) Deputy Rangers, and (vii) Foresters in charge of a Range, whether on permanent or temporary establishments.	63, paragraph 1	Power to arrest without warrant in cases mentioned in the section.
VII. All— (a) Foresters not in charge of Ranges, and (ii) Forest Guards, whether on permanent or temporary establishments.	63, paragraph 1	Power to arrest without warrant in cases mentioned in the section.

2. In exercise of the power conferred by section 24 of the said Act, the Lieutenant-Governor in Council is further pleased to authorise all Commissioners of Divisions to sanction the stoppage of ways and water-courses, in reserved forests, under that section.

3. In exercise of the power conferred by section 60 of the said Act the Lieutenant-Governor in Council is further pleased to empower the Forest-officers mentioned in clauses I, II, III and IV in column I of the foregoing table to direct at any time the immediate release of any property seized under section 52 of the said Act.

4. In exercise of the power conferred by sub-section (1) of section 67 of the said Act the Lieutenant-Governor in Council is further pleased to empower—

- (a) the Forest-officers mentioned in clauses I and II in column I of the foregoing table, and
- (b) such of the Forest-officers mentioned in clause III in column I of that table as may be specially authorised in this behalf by the Conservator of Forests,

to accept money by way of compensation for offences, and to release property seized as liable to confiscation.

5. In exercise of the power conferred by section 71 of the said Act the Lieutenant-Governor in Council is further pleased to invest the Forest-officer in charge of the Santal Parganas and the Angul Forest Divisions with the powers mentioned in clause (d) of that section.

6. In exercise of the power conferred by clause (a) of section 75 of the said Act, the Lieutenant-Governor in Council is further pleased to direct that the Forest-officers mentioned in clause VII of the foregoing table shall exercise the power to arrest without warrant under section 63 of the said Act in the following cases only —

- (a) When an offence is committed near the frontier or border of a Native State ;
- (b) incendiary forest fire ; and
- (c) when there is reason to believe that the accused has given a false name or address and is likely to abscond.

(b) Powers delegated to certain Civil Officers in the Protected Forests in the Santal Parganas, Angul, Palamau and Hazaribagh Districts.

A. * In exercise of the power conferred by the definition of "Forest-officer" in section 2 of the Indian Forest Act, 1878 (VII of 1878), the Lieutenant-Governor in Council is pleased to appoint the officers who are mentioned in column 1 of the following table to discharge the functions of a "Forest-officer" under the sections of the said Act which are mentioned opposite their names in column 2 of the said table in respect of the Protected Forests lying within the limits of their respective jurisdictions which are not under the immediate control of the Forest Department:—

Officers.	Sections of the Act.	Brief description of functions.
1	2	3
I.—		
(a) The Deputy Commissioner of the district of the Santal Parganas.	33	Power to permit prohibited acts in a protected forest.
(ii) The Sub-Divisional Officer of the Rajmahal Sub-Division in the district of the Santal Parganas.		
(iii) The Sub-Divisional Officer of the Godda Sub-Division in the district of the Santal Parganas.	82, paragraph 2	Power to sell forest produce for Government dues.

Officers.	Sections of the Act.	Brief description of functions.
1	2	3
II—		
(i) The Deputy Commissioner of the district of Angul.	33 ...	Power to permit prohibited acts in a protected forest.
(ii) The Sub-Divisional Officer of the Sadr Sub-Division of the district of Angul.	82, paragraph 2.	Power to sell forest-produce for Government dues.
(iii) Sub-Deputy Magistrates of the Sadr Sub-division of the district of Angul.		
III—		
(i) The Deputy Commissioner of the district of the Santal Parganas.		
(ii) The Sub-Divisional Officer of the Rajmahal Subdivision in the district of the Santal Parganas.		
(iii) The Subdivisional Officer of the Godda Sub-division in the district of the Santal Parganas.		
(iv) The Deputy Commissioner of the district of Angul.	52, paragraph 1.	Power to seize property when a forest offence has been committed.
(v) The Subdivisional Officer of the Sadr Sub-division of the district of Angul.	55	Power to take charge of forest-produce on the conclusion of a trial of a forest offence.
(vi) Sub-Deputy Magistrates of the Sadr Sub-division of the district of Angul.		
IV. All—	69	Power to seize and impound cattle trespassing in a protected forest.
(a) Deputy Rangers,		
(ii) Foresters, and	82, paragraph 1.	Power to take possession of forest-produce until Government dues are paid.
(iii) Forest Guards,		
whether on permanent or temporary establishments who are subordinate to any officer mentioned in clause I above.		
V. All—		
(i) Foresters and		
(ii) Forest watchers,		
whether on permanent or temporary establishments, who are subordinate to any officer mentioned in clause II above.		

Officers.	Sections of the Act.	Brief description of functions.
1	2	3
VI. (i) The Deputy Commissioner of the district of the Santal Parganas. (ii) The Subdivisional Officer of the Rajmahal Subdivision in the district of the Santal Parganas. (iii) The Subdivisional Officer of the Godda Subdivision in the district of the Santal Parganas. (iv) The Deputy Commissioner of the district of Angul. (v) The Subdivisional Officer of the Sadr Subdivision of the district of Angul. (vi) Sub-Deputy Magistrates of the Sadr Subdivision of the district of Angul.	63, paragraph 1.	Power to arrest without warrant in cases mentioned in the section.
VII. All— (a) Deputy Rangers, (ii) Foresters, and (iii) Forest Guards, whether on permanent or temporary establishments, who are subordinate to any officer mentioned in clause I above.		
VIII. All— (a) Foresters, and (ii) Forest watchers, whether on permanent or temporary establishments, who are subordinate to any officer mentioned in clause II above.		

2. In exercise of the power conferred by section 60 of the said Act the Lieutenant-Governor in Council is further pleased to empower the officers mentioned in clauses I, II in column 1 of the foregoing table to direct at any time the immediate release of any property seized under section 52 of the said Act.

3. In exercise of the power conferred by sub-section (1) of section 67 of the said Act, the Lieutenant-Governor in Council is further pleased to empower the officers mentioned in clauses I and II in column 1 of the foregoing table to accept money by way of compensation for offences, and to release property seized as liable to confiscation.

4. In exercise of the power conferred by section 71 of the said Act the Lieutenant-Governor in Council is further pleased to invest Sub-Deputy Magistrates of the Sadr Subdivision of the Angul District with the powers mentioned in clauses (c) and (d) of the section.

5. In exercise of the power conferred by clause (a) of section 75 of the said Act the Lieutenant-Governor in Council is further pleased to direct that—

- (i) the officers mentioned in clause VII of the foregoing table shall exercise the power to arrest without warrant under section 63 of the said Act in the following cases only:—
 - (a) incendiary forest fire, and
 - (b) when there is reason to believe that the accused has given a false name or address and is likely to abscond;
- (ii) the officers mentioned in clause VIII of the foregoing table shall exercise the power to arrest without warrant under section 63 of the said Act in the following cases only—
 - (a) when an offence is committed near the frontier or border of a Native State,
 - (b) incendiary forest fire, and
 - (c) when there is reason to believe that the accused has given a false name or address and is likely to abscond.

6. For the purposes of Notification No. 675T.R., dated the 21st May 1906, the Lieutenant-Governor in Council is further pleased to direct that the "Deputy Commissioner or Collector" in rule 2 of that notification shall include the following officers—

- (i) The Subdivisional Officer of the Rajmahal Subdivision in the district of the Santal Parganas,
- (ii) The Subdivisional Officer of the Godda Subdivision in the district of the Santal Parganas,
- (iii) The Subdivisional Officer of the Sadr Subdivision of the district of Angul,
- (iv) Sub-Deputy Magistrates of the Sadr Subdivision of the district of Angul.

The following notifications issued under the said Act are hereby cancelled namely—

- (a) Notification No. 157 For., dated the 8th January 1901 (published in Part I of the *Calcutta Gazette*.)

(b) Notification No. 1475R., dated the 7th July 1906 (published in Part I of the *Calcutta Gazette*.)

*B. Under section 2 of the Indian Forest Act, VII of 1878, the Deputy Commissioner of Palamau is appointed to carry out all the provisions of the said Act, in respect of all "Protected Forests" lying within his jurisdiction, and is empowered, under section 60 of the Act, to direct the immediate release of any property seized under section 52. He is also empowered under sub-section (1), section 67 of the said Act, to compound "forest offences" committed within the area specified.

†C. Under section 2 of the Indian Forest Act, VII of 1878, the Lieutenant-Governor is pleased to appoint the Deputy Commissioner of Hazaribagh to be a "Forest Officer" to carry out the provisions of the said Act, in respect of the "Protected Forests" lying within his jurisdiction.

D. The Subdivisional Officer of Khurda, in the district of Puri, is appointed under section 2 of the Indian Forest Act VII of 1878 to be a "Forest Officer" to carry out the purposes of the said Act in respect of all "Protected Forests" lying within his jurisdiction, and is empowered under section 67 (1) of the said Act to compound "forest offences" committed within the area specified.

SECTION III.

† Grant of Rewards—Section 75(b).

1. All non-gazetted Government officers and persons not in the employ of Government are eligible for rewards under these rules.

2. The Magistrate or the Court imposing the fine is bound to inform the Divisional Forest Officer or the Subdivisional Forest Officer not being below the rank of an Assistant Conservator of Forests, or, in the case of forests under the management of the Civil Department, the Deputy Commissioner or Collector of the district, of the levy of the fine, and the whole or any part of the fine when realized, may be distributed in such proportions as that officer may think fit among the persons instrumental in the detection of the offence, the seizure of the articles, or the capture of the offender. Besides the amount of the fine, the said person shall also be entitled to share the whole or part of

* Vide Notification No. 674T.—B., dated the 24th May 1906.

† " " No. 681T.—B., dated the 17th May 1907.

‡ " " No. 673T.—B., dated the 24th May 1906.

proceeds of the sale of the confiscated articles. The Forest Officer, Deputy Commissioner or Collector aforesaid may also, out of the fine realized, award compensation to any person subjected to annoyance or injury in connection with the proceedings in which the fine was imposed.

3. Rewards granted under these rules shall be disbursed at once, if they are less than Rs. 100. If they are over Rs. 100, that sum only will be disbursed at once, and the rest after the period of appeal has expired, or the appeal has been rejected. In the event of the conviction being reversed on appeal, the amount paid in rewards shall not be recovered from the persons to whom it has been paid, unless it shall appear that they have acted fraudulently.

4. In cases where, under section 67 of the Indian Forest Act, a Forest Officer has accepted a sum of money as compensation for any damage which has been committed, the Conservator of Forests may authorize the payment of a portion of the amount realized as a reward to any person who may have contributed to the discovery of the offender. In the case of forests under the management of the Civil Department, the Deputy Commissioner or Collector in charge of the forests is authorized to pay similar rewards out of the money realized by him as compensation for any damage committed.

5. For the purposes of rule 2 the "Deputy Commissioner or Collector" shall include the Subdivisional Officers of Rajmahal and Godda in the Santal Parganas District as well as the Subdivisional Officer of Angul Sadr Subdivision and the Sub-Deputy Magistrate stationed at the Angul Sadr station.

SECTION IV.

Fire Protection Rules.

*RULES FOR THE HAZARIBAGH, RANCHI, PALAMAU, PURI, SAMBALPUR AND SINGHBHUM DISTRICTS AND THE GOVERNMENT ESTATE OF ANGUL

[Section 75 (d)].

These rules apply as follows :—

In Hazaribagh, Palamau, Ranchi, and Singbhum from 1st January to 1st July. In Angul and Puri from 1st January to 1st June. † In Sambalpur from 1st January to 30th June.

* Vide Notifications dated 11th December 1880, 3rd December 1881, 5th June 1885, 9th April 1891, also Notification No. 1787For., dated 3rd May 1892, and No. 295For., dated 15th January 1895.

† Vide Notification No. 3553For., dated 7th December 1907.

1. Any person living in the vicinity of a Government forest reserve, or occupying or using land in such vicinity, and desirous of clearing by fire any standing forest or grass land near that reserve, in a locality from which such fire would be likely to endanger the reserve, shall observe the following rules :—

- (1) He shall give notice of at least one week to the nearest officer ranger or forester of his intention ;
- (2) He shall clear a belt of land at least 20 feet broad on the side of the land he proposes to burn nearest to the forest reserve ;
- (3) He shall choose for such burning a day or time when a high wind is not blowing.
- (4) He shall light the fire in a direction contrary to the prevailing wind.

2. Any such person desirous of burning, on land adjoining a forest reserve, wood, grass or weeds, or other cut material, shall collect that material into heaps, and burn it separately in such a way that the fire may not endanger the forest reserve.

3. Any person collecting inflammable forest produce, such as grass and bamboos, on land adjoining a forest reserve, and any holder of a permit to collect such materials from the forest reserve, shall stack the material so collected in an open space, as far removed as possible from the forest.

4. All persons travelling on roads passing through or along the boundary of a forest reserve shall camp only at such places as may be cleared and set apart for the purpose of camping-grounds by the Forest Officer, who shall yearly publish a list of such grounds in the vicinity of the reserve. Camping at other localities than those so set apart is forbidden, and all persons so camping shall light any fires they may make for cooking or other purposes in such a way as not to endanger the forest reserve, or the buildings or property on the camping-ground ; and they shall extinguish all such fires before leaving the camping-ground.

5. The carriage of burning wood, fire-brands, or torches through or along the boundary of any reserved forest is prohibited. .

SECTION V.

(a) RULES TO REGULATE HUNTING, SHOOTING AND FISHING WITHIN THE
RESERVED FORESTS IN BIHAR AND ORISSA.

* In supersession of the rules prescribed by Notification No. 177 T.—R., dated the 18th May 1895, as amended by subsequent notifications, of which the numbers and dates are noted in the margin, the following rules are in force, to regulate hunting, shooting, fishing, the poisoning of water and the setting of traps or snares within the

No. 430 For., dated
27th January 1898.
No. 843 T.—R., dated
18th October 1899.
No. 80 T.—R., dated
4th January 1902.

Reserved Forests in Bihar and Orissa.

I.—No person shall, within the Reserved Forests in Bihar and Orissa,—

Prohibition
as to killing
of fish.

- (a) poison any river or other water ;
- (b) kill fish by any explosive ;
- (c) dam and bale water ; or,
- (d) use small nets to catch fish.

II.—The following close seasons shall be observed within the said forests :— Close season.

Rhinoceros, buffalo and female

bison ... Whole year.

All stags with horns not in
velvet and male antelopes

1st May to 31st October.

Hornless male deer or deer
when with horns in velvet,
and females of all deer and
antelopes ...

Whole year.

Green and imperial pigeon ...

1st April to 15th June.

Jungle fowl ...

1st April to 31st October.

Pheasants, florican, partridge
and pea-fowl ...

1st April to 30th September.

Hare ...

1st May to 30th September.

The killing or snaring of any of the above within the close season prescribed in each case is prohibited.

III.—For the purposes of these rules forests shall be divided into three classes, namely :—

Classification
of
forests.

Class 1.—Forests in which hunting, shooting, trapping or fishing is permissible only under a permit in Form A (Appendix A).

Class II.—Forests in which hunting, shooting, trapping is permissible only under a permit in Form B (Appendix A).

Class III.—Forests in which all hunting, shooting, trapping or fishing is prohibited, in order to prevent the extinction of any species, or to form a sanctuary for game, or for any other reason.

All Reserved Forests shall be considered as belonging to Class I unless the contrary is specially notified by the Local Government in the *Bihar and Orissa Gazette* at the instance of the Commissioner of the Division or the Conservator of Forests through the Commissioner of the Division.

Note.—The following forests have been notified under this rule by Notification No. 409 T.—E., dated the 2nd May 1907 :—

Forest Division.	Range of Group.	Name of Forest or Block.	Class.
Singhbhum...	Samta Range ...	The Samta, Tholakabad, Tirilpasi, Karampada and Kodolibad Blocks	II
Ditto ...	Koina do. ...	The Ankua Block ...	
Ditto ...	Kolhan do. ...	The Ghatkori do. ...	
Sambalpur ...	Barapahar Range	The Debarigarh Block, No. 8.	II
Ditto ...	Sambalpur Range	The Hathibari ...	
		Kulchar Block, viz.— ...	
		Bandher Block, No. 28 ...	
		Hathibari Dungri Block, No. 28 A.	
		Brahmini Dungri Block, No. 25 B.	
		Chamunda Block, No. 28 C.	
		Kusamura Block, No. 28 D.	
		Kulchar Block, No. 28 E. ...	
		Meghpal Block, No. 28 F....	

Forest Division.	Range of Group.	Name of Forest or Block.	Class.
Palamau ...	...	Saidope, Ramanday Kumandi (including Chatum) and Barasand.	II
P. ri ...	Southern Range ...	Arang, Bankar, Tamna, Rajin and Katwal.	} II
Do. ...	Ditto ...	Baratpur, Jaimangal, Majana	

Note 2.—The following forests have been notified under this rule by Notification No. 1192 T.—R., dated 8th June 1907.

Angul ...	Bagmunda Range	Bagmunda East ...	} II
		Ditto West ...	
Ditto ...	Raigoda Range ...	Raigoda ...	} II

IV.—In the case of reserves falling under class I, the necessary permit may be granted by the District Officer or by the Divisional Forest officer in Form A, appended, on payment of a fee of Rs. 10, for the period between the date on which the permit is granted and the 30th June following the date of its issue, and shall be non-transferable. But, no permit in Form A shall be held to authorize hunting, shooting, trapping or fishing in any reserved forest between the 1st February and the 1st July without the express permission of the authority granting the permit. Whenever such permission is given the fact shall be endorsed on the permit.

V.—In the case of Reserves falling under Class II the requisite permit in Form B, appended, on payment of the requisite fee, may be granted by the Conservator of Forests, the District Officer, or Divisional Forest officer.

VI.—Permits under Rule V shall not ordinarily be granted in Reserved forests, excepted to approved sportsmen and shikaries, for the exclusive purpose of hunting and killing carnivorous animals and such other animals as may be expressly mentioned in the permit. These permits shall be—
(a) non-transferable, (b) available for the period specified thereon not exceeding two months, and (c) may apply to a portion or the whole of any one Reserve provided that wounded game may be followed into another portion of a Reserve than that to which the permit applies.

Extension
of permit
for Class I
forests to
forests of
Class II.

VII.—The holder of a permit in Form A, to hunt, shoot, trap or fish in forests of Class I of any Forest Division, may be allowed by the Conservator of Forests to shoot carnivorous animals, barking deer, hare or winged game, or to fish in any or all of the forests of class II included in the same Division, during the currency of his permit in Form A without extra charge.

Exemption
of certain
officers when
on duty
and Heads of
Departments.

VIII.—Gazetted Forest officers, Officers of the Imperial and Provincial Civil Services and Gazetted Officers of the Police having to discharge duties under the Forest Act or Rules made thereunder within the district or subdivision of the district in which the reserved forest concerned is situated, and Heads of Departments shall be exempted from taking out permits, but shall be bound by Rules I and II and by any orders issued under Rule XIV.

Exemption
in case of
tidal waters.

IX.—No permit shall be required for fishing in tidal waters.

Fees for
special
permits.

X.—Fees shall be charged for special permits issued under Rule V according to the following scale:—

	Rs.
To non-residents of Bihar and Orissa ...	50
Residents of Bihar and Orissa outside the district in which the forests are situated ...	30
Residents of the district ...	20

Provided that every holder of a special permit shall also pay for a Forest Guard to accompany him and his camp during the time he is within any reserved forest specified in his permit, if the Divisional Forest officer appoints a Forest Guard to accompany him.

Charges for
killing of
bison.

XI.—In addition to the permit fee, where a permit fee is required, there shall be a charge of Rs. 10 for the first bison killed, and a charge of Rs. 20 for each subsequent one killed under the same permit.

Prohibition
of search for
game prior
to date of
permit.

XII.—No person who applies for a permit, whether under Form A or Form B, shall employ any one to search for game in a reserved forest prior to the date of his permit.

Prior declara-
tion as to game
sought after.

XIII.—At the time a permit in Form B is taken out a declaration shall be made by the permit-holder as to the animals, other than carnivorous, which he desires to hunt.

XIV.—The Conservator of Forests may, with the concurrence of the Commissioner of the Division in which the forest is situated, make rules with regard to forests coming under Class II—

Power of Conservator to make rules as to number of animals to be killed and to protect immature animals.

(a) fixing the maximum number of animals, other than carnivorous animals, of any kind to be killed in any reserved forest and by any permit-holder or party of permit-holders during any forest year (1st July to 30th June) ; and fixing the number of permits to be granted in a forest under this class in any year ;

(b) to prevent the killing or capture of immature animals, other than carnivorous animals; and every permit-holder or officer coming under Rule VII shall be bound by such rules.

XV.—When an application for a permit in Forms A and B is refused, or where the officers having concurrent authority to issue such permits disagree, an appeal shall lie to the Commissioner of the Division.

Appeals against refusal of permits.

XVI.—A permit in form C may be issued free of charge by the Sub-divisional or District Officer or by the Divisional Forest officer authorizing the holder to hunt, shoot or trap any specified carnivorous or other animal considered dangerous to life. The permit shall be (a) non-transferable, and (b) available for the period specified thereon, not exceeding three months.

Permits to shoot dangerous animals.

XVII.—Every person to whom a permit has been granted under these rules, and who is found hunting, shooting, trapping or fishing in any forest to which these rules apply, shall, on the demand of any Magistrate, Forest officer, or Police Officer, having jurisdiction in the locality, produce his permit.

Production of permits on demand.

XVIII.—(1) Any permit granted under these rules for shooting in a forest may be cancelled at any time by the Conservator of Forests, with the concurrence of the Commissioner of the Division in which the forest is situated, if circumstances render it advisable to stop shooting in that forest a proportionate return of the fee paid by the permit-holder being made to him.

Cancellation of permits.

(2) If any person to whom a permit has been granted under these rules commits a breach of any provision of the Forest Law or of any of these rules, the permit shall be cancelled in lieu of or in addition to any other punishment to which such person may be liable under the Indian Forest Act, 1878, or under any other law for the time being in force.

XIX.—These rules shall be subject to the provisions of the Elephant Preservation Act, 1879 (VI of 1879).

Saving as to elephants.

RESERVED FORESTS.

Hunting, Shooting and Fishing Permits.

FORM A.

PERMIT TO BE GRANTED UNDER RULE IV.

License to hunt, shoot or fish within a Reserved Forest—Fee
Rs. 10.

Permit to hunt, shoot or fish within the _____ Reserved Forest of the _____ Division between the date of the permit and the 30th June 19____, granted under Rule IV of the Rules issued under Notification No. 1992, dated the 6th April 1907, subject to the conditions specified on the reverse.

- (a) To
(b) Of
(c) Status

NOTE—Other details may be added for the purpose of identification at the discretion of the officer granting this permit.

day of 19__

The holder of this permit is permitted to hunt, shoot and fish in the forest mentioned in the license between the 1st February and the 30th June.

Signature of Officer granting the permit.

Signature of Officer granting the permit.

[Reverse.]

I.—The poisoning of rivers or other waters, the killing of fish by any explosive, the damming and baling of water, and use of small nets to catch fish are prohibited.—

II.—The following close seasons are prescribed :—

Rhinoceros, buffalo and female bison	...	Whole year.
All stags with horns not in velvet, and male antelopes.	1st May to	31st October.
Hornless male deer or deer when with horns in velvet, and females of all deer and antelopes.	Whole year.	
Green and imperial pigeon	...	1st April to 15th June.
Jungle fowl	...	1st April to 31st October.
Pheasants, florican, partridge and pea-fowl	...	1st April to 30th September.
Hare	...	1st April to 30th September.

The killing and snaring of any of the above within the close season prescribed in each case is prohibited.

III.—No wild elephant shall be hunted, shot at, killed, injured or captured.

IV.—The setting of traps or snares is prohibited.

V.—This permit does not authorise hunting, shooting or fishing in any Reserved Forest, or in any part of any Reserved Forest, which has been notified in the *Calcutta or Bihar and Orissa Gazette* as belonging to Class II or Class III of Rule III of Notification Nos. 408T.-R., and 1192T.-R., dated 2nd May and 8th June 1907, respectively, nor, shall it be held to authorise hunting, shooting or fishing in any Reserved Forest between the 1st February and 1st July, unless the certificate showing that the holder has received special permission to hunt, shoot or fish between those dates has been countersigned by the Officer granting the permit.

Breach of any of the conditions of this license will render the licensee liable to forfeiture, in addition to any punishment to which the holder thereof may be liable under the law.

FORM B.

PERMIT GRANTED UNDER RULE V.

COUNTERFOIL.	DUPLICATE.	TRIPPLICATE.
No. , dated 19 .		Shooting permit granted subject to the Rules on the reverse.
Name of permit-holder—		No. , dated 19 .
Residence—		Name of permit-holder—
Status—		Residence—
		Status—
		Fee paid for permit—
		Period for which valid—
		From 19 to 19 .
		Name of forest or portion thereof for which permit is granted with boundaries thereof.
NOTE.—This is to be kept in the office containing all necessary details found in the triplicate.	NOTE.—This to contain all necessary information given in triplicate.	

[Reverse.]

The maximum number of certain animals other than carnivorous animal that may be shot under this license is:—

KIND OF ANIMALS.	Maximum number to be shot.	Fee to be paid for each animal shot, in addition to the permit fee, under Rule XI.
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Name of Forest Guard accompanying the party with rate of pay—

Name—

Pay—Rs. per mensem.

1. The permit-holder shall observe the following close seasons:—

Rhinoceros, buffalo and female bison ... Whole year.

All stags with horns not in velvet, and male antelopes. 1st May to 31st October.

Hornless male deer or deer when with horns in velvet, and females of all deer and antelopes. Whole year.

Green and imperial pigeon	...	... 1st April to 15th June.
Jungle fowl	...	... 1st April to 31st October.
Pheasants, florican, partridge and pea-fowl	...	... 1st April to 30th September.
Hare	...	... 1st May to 30th September.

The killing or snaring of any of the above within the close season prescribed in each case is prohibited.

2. The permit-holder shall observe any orders issued under Rule XIV limiting the number of animals to be shot, or prohibiting the killing of immature animals.

3. The holder of a permit shall camp only on such regular camping-grounds as may have been set apart by the Forest Authorities or in places specially pointed out to him by a Forest Officer.

4. This permit can be cancelled under Rule XVIII of the Shooting Rules.

5. The holder of a permit is not exempted from liability under the Forest Act, or any other law, or for anything done in contravention of such Act or law, or for any damage caused by him, his retainers or followers.

6. Every permit-holder must, if so ordered by the Forest Officer, pay for a forest guard to accompany him and his camp during the time he is within Government forest limits, whose sole duty it will be to see that none of the Forest Rules are infringed by the permit-holder or his followers.

FORM C.

SHOOTING PERMIT.

Under Rule VI of Notification No. 1992, dated 6th April 1967.

Name of permit-holder—

Residence—

Status—

Period for which valid—

Name of forest or portion thereof for which the permit is granted, with boundaries thereof.

Description of carnivorous or other animal dangerous to life which the permit-holder is permitted to hunt, shoot or trap.

Dated

19 .

Signature of Issuing Officer.

[Reverse.]

1. This permit is non-transferable, available only for the period specified not exceeding three months, and only authorizes the hunting, shooting or trapping of the animal or animals described therein.

2. The holder of this permit shall camp only on such regular camping-grounds as may have been set apart by the Forest Authorities, or in places specially pointed out to him by a Forest Officer.

3. The holder of this permit is not exempted from liability under the Forest Act or any other law for anything done in contravention of such Act or law, or for any damage caused by him, his retainers or followers.

(b) IN PROTECTED FORESTS.

(1) RULES TO REGULATE HUNTING, SHOOTING, AND FISHING, IN THE PROTECTED FORESTS OF CHOTA NAGPUR, SANTAL PARGANAS, AND ROHTAS AND CHAINPUR PARGANAS.

1. * In supersession of previous rules the poisoning of the rivers or other waters, the killing of fish by any explosive, the damming and baling of water in order to catch fish are prohibited.

2. Subject to the provisions of the Elephants' Preservation Act (VI of 1879), no hunting, shooting, fishing, snaring or trapping of any description shall be allowed, save under a license granted by the Conservator of Forests or the Forest Officer in charge of the Forest Division concerned, or, when there is no Forest Officer in charge of the forest concerned, by the District or Subdivisional Officer, to be current for one year from the date of its issue. Every such license shall be in the form given in Appendix B. I. and shall be granted, on application, free of charge, to every village headman, or, where there is no village headman, to such leading villager in each village as the villagers may select, authorising all the inhabitants of the village to hunt, shoot, fish, snare or trap, as the case may be, within the area, and subject to the conditions specified therein, one of which shall be that the license may be cancelled on breach of any of such conditions by any inhabitant of the village, whether with or without the cognizance of the licensee.

3. The District or Subdivisional Officer for any forest within his jurisdiction shall have power, on due cause being shown, to grant special licenses, in the form given in Appendix B. II, and subject to the conditions endorsed thereon, to be current for specified periods, for the purpose of destroying any animal or animals dangerous to life.

4. A gazetted officer of Government, having jurisdiction in the locality in which any protected forest is situated, shall not be required to take out a license under rule 2, but shall, if he desires to hunt, shoot, fish, snare or trap, apply to the District Officer for a permit, which may be granted to him in the form Appendix B. III, and subject to the conditions endorsed thereon.

5. An order refusing to grant a license, if passed by a Forest Officer in charge of a Forest Division, shall be appealable to the Conservator of Forests; if passed by a Subdivisional Officer, to the District Officer; and

* Vide Notifications No. 564T.—R., dated 24th September, and No. 5441For., dated 16th December 1895, and No 948T.—R., dated 1st July 1901.

if passed by the Conservator of Forests, or the District Officer, whether on appeal or otherwise, to the Commissioner of the Division.

6. An order refusing to grant a special license, if passed by a Sub-divisional Officer, shall be appealable to the District Officer; and an order refusing to grant a special license or permit, if passed by a District Officer whether on appeal or otherwise, to the Commissioner of the Division.

7. Any license granted under these rules for shooting in a forest may be cancelled at any time by the Conservator of Forests in Bihar and Orissa with the concurrence of the Commissioner of the Division in which the forest is situated, if circumstances render it advisable to stop shooting in that forest.

8. If an inhabitant of any village, the headman or the leading villager of which has been granted a license under rule 2, commits a breach of any provision of the Forest Law or of any of these rules, the license for the whole village may be cancelled, in addition to any other punishment to which the village headman or the leading villager, or the person who committed the offence, may be liable.

PROTECTED FORESTS.

Ordinary Hunting, Shooting and Fishing License granted under Rule 2 of the Rules to regulate Hunting, etc., in the Protected Forests of Chota Nagpur and the Santal Parganas.

License to (*here enter hunt, shoot or fish, as the case may be*) in the (*here specify area, Protected Forest*)
granted to—

(Name and father's name)

(Residence)

(Description)

(Name of village on behalf of which the license is given.)

.....Conservator of Forests,

Dated

.....Division.

Or District or Subdivisional Officer of—

Condition under which this LICENSE is granted.

This license is issued subject to the following conditions :—

1. The poisoning of rivers or other waters, the killing of fish by any explosive, the damming and baling of water in order to catch fish are prohibited.

2. No person shall shoot at, wound, kill, take or capture the following animals and birds between the 1st April and the 30th September :—

Deer and antelope.

Hare.

Pheasant.

Partridge.

Hill and sandgrouse.

Pea-fowl.

Jungle-fowl.

Floricau.

3. No person shall shoot at, wound, kill, take or capture any male deer of any kind when in velvet or when hornless, or the females or young of any of the following animals :—

1. Bison.

2. Sambur.

3. Spotted deer.

4. Barking deer.

5. Swamp deer.

6. Antelope.

4. A breach of any of the above conditions by the licensee or by any inhabitant of his village will render this license liable to cancellation.

5. Any inhabitant of village *may (here enter hunt, shoot or fish as the case may be) in the (here specify area, Protected Forest) under this license.*

I agree to the above conditions, which *I have read*
have been explained to me.

Dated

Licensee.

II.

Special Hunting and Shooting LICENSE (granted under Rule 3 of the Rules to regulate hunting, etc., in the Protected Forest of Chota Nagpur and the Santal Parganas.)

License to destroy the animals or animal dangerous to life specified below in the (here specify area, Protected Forest.)
granted to—

(Name and father's name)

(Residence)

(Description)

(Animal or animals to be destroyed.)

(Period for which the license will run.)

Dated

District or Subdivisional Officer of—

Conditions under which the LICENSE is granted.

This license is issued subject to the following conditions:—

1. No person shall shoot at, wound, kill, take or capture any animals other than the animal or animals specified in this license.

2. A breach of the above conditions by the licensee will render his license liable to cancellation.

I agree to the above conditions, which I have read
have been explained to me.

Dated

Licensee.

III.

OFFICE OF MAGISTRATE
DEPUTY COMMISSIONER OF DISTRICT.
Hunting, Shooting and Fishing PERMIT (granted under Rules to regulate
Hunting, etc., in the Protected Forest of Chota Nagpur and the Santal
Parganas. ()

Permit to (here enter hunt, shoot or fish) in the area describe below:—

Granted to

Period of currency

Dated

Magistrate
Deputy Commissioner of *District.*

Conditions under which this PERMIT is granted.

This permit is issued subject to the following conditions:—

1. The poisoning of rivers or other waters, killing of fish by any explosive, the damming and baling of water in order to catch fish are prohibited.

2. No person shall shoot at, wound, kill, take or capture the following animals and birds between the 1st April and the 30th September:—

Deer and antelope.

Hill and sandgrouse.

Hare.

Pea-fowl.

Pheasant.

Jungle-fowl.

Partridge.

Floricane.

3. No person shall shoot at, wound, kill, take or capture any male deer of any kind when in velvet or when hornless, or the females or young of any of the following animals:—

1. Bison.

4. Barking deer.

2. Sambar.

5. Swamp deer.

3. Spotted deer.

6. Antelope.

4. A breach of any of the above conditions will render this permit liable to cancellation.

I agree to the above conditions, which I have read.

Dated

Permit-holder.

(2) RULES TO REGULATE HUNTING, SHOOTING AND FISHING IN THE PROTECTED FORESTS OF THE ANGUL AND PURI DISTRICTS.

*The rules hereinafter set forth below are in force to regulate hunting, shooting, fishing, the poisoning of water and the setting of traps or snares in the Protected Forests of the districts of Puri and Angul.

So much of the Notifications No. 564T.—R. and No. 948T.—R., dated respectively the 21th September 1895 and the 1st July 1901, as relates to the Protected Forests in Angul and Khurda, is hereby cancelled.

I.—No person shall poison any river or other water, or kill fish by any explosive within the Protected Forests of the Puri and Angul districts.

Prohibition of killing of fish by poison or explosives.

II.—The following close seasons shall be observed within the aforesaid forests, namely:—

Observance of close seasons.

Bison	...	...	...	Whole year.
All stags with horns not in velvet and male antelopes	...	...	...	1st May to 31st October.
Hornless male deer or deer with horns in velvet, and females of all deer and antelopes	...	...	...	Whole year.
Green and imperial pigeon.	...	...	...	1st April to 15th June.
Jungle fowl	...	...	...	1st April to 31st October.
Partridge and pea-fowl	...	...	...	1st April to 30th September.

The killing or snaring of any of the above within the close season prescribed in each case is prohibited.

Classification of forests.

III.—For the purpose of these rules forests shall be divided into two classes, namely :—

Class I.—Forests in which hunting, shooting or trapping is permissible only by the holder of a permit in Form A (Appendix C.) or by the holder of a permit to hunt, shoot or trap in the Reserved Forests of the district concerned.

Class II.—Forests in which all hunting, shooting, trapping or fishing is prohibited, in order to prevent the extinction of any species, or to form a sanctuary for game or for any other reason.

All forests shall be considered as belonging to class I, unless the contrary is specially notified by the Local Government in the *Bihar and Orissa Gazette* at the instance of the Commissioner of the Division or the Conservator of Forests through the Commissioner of the Division.

Grant and duration of, and fees for, permits.

IV.—A permit (Appendix C) authorising the holder to hunt, shoot or trap in Protected Forests of Class I may be granted by the District Officer, or for the Puri Protected Forests only, by the Subdivisional Officer, Khurda, to approved raiyats of the Khurda or Angul estates free of charge, and in all other cases subject to a charge of Rs. 10. Such permit shall hold good for the period ending the 30th June following the date of its issue, and shall not be transferable.

Exemption of certain officers.

V.—Gazetted Forest Officers, Officers of the Imperial and Provincial Civil Services, and Gazetted Officers of the Police having to discharge duties under the Indian Forest Act, 1878, or the rules framed thereunder within the district, or subdivision of the district, in which the Protected Forest concerned is situated, shall be exempted from the necessity of taking out permits, but shall be bound by the provisions of Rules I and II above.

Permit to kill dangerous animals.

VI.—A permit in Form B (Appendix C) may be issued free of charge by the Subdivisional or District Officer, or by the Divisional Forest Officer, authorising the holder to hunt, shoot or trap any carnivorous or other animal considered dangerous to life. Such permit shall be (a) non-transferable, and (b) available for a period, not exceeding three months, to be specified thereon.

Appeal against refusal to grant permit.

VII.—Where an application for a permit has been refused an appeal shall lie to the Commissioner of the Division.

VIII.—Every person to whom a permit has been granted under these rules, and who is found hunting, shooting or trapping in any forest to which these rules apply, shall on the demand of any Magistrate, Forest Officer or Police officer having jurisdiction in the locality produce his permit. Production of permits on demand.

IX.—If any person to whom a permit has been granted under these rules commits a breach of any provision of the Indian Forest Act, 1878, or of any rule made thereunder, the permit shall be cancelled in lieu of, or in addition to, any other punishment to which such person may be liable under the Indian Forest Act, 1878, or under any other law for the time being in force. Cancellation of permit on commission of offence.

X.—These rules shall be subject to the provisions of the Elephants' Preservation Act, 1879 (VI of 1879). Saving as to Elephants.

For use in the Angul and Puri Divisions.

FORM A.

PERMIT TO BE GRANTED UNDER RULE IV.

License to Hunt, Shoot or Trap within a Protected Forest—

Fees Rs. 10.

Permit to hunt, shoot, or fish within the Protected Forest of the _____ Division between the date of the permit and the 30th June 19____, granted under Rule IV of the Rules issued under Notification No. 1993 For., dated the 6th April 1907, subject to the condition specified on the reverse.

- (a) To
- (b) Of
- (c) Residence
- (d) Status

The _____ day of _____ 19 ____ :

Signature of Officer granting the Permit.

The holder of this permit is permitted to hunt, shoot and fish in the forests mentioned in the license between the date of its issue and the 30th June.
Signature of Officer granting the Permit.

[Reverse.]

I.—The poisoning of rivers or other waters, and the killing of fish by any explosive are prohibited.

*II.—The following close seasons are prescribed:—

Bison whole year.

All stags with horns not in velvet, and

male antelopes 1st May to 31st October.

Hornless male deer or deer when with

horns in velvet, and females of all

deer and antelopes Whole year.

Green and imperial pigeon ... 1st April to 15th June.

Jungle fowl 1st April to 31st October.

Pheasants, florican, partridge and pea-

fowl 1st April to 30th September.

Hare 1st April to 30th September.

The killing or snaring of any of the above within the close season prescribed in each case is prohibited.

III.—No wild elephant shall be hunted, shot at, killed, injured or captured.

IV.—The setting of traps or snares is prohibited.

V.—This permit does not authorise hunting, shooting, or fishing in any Protected Forest, or any part of any Protected Forest, which has been notified in the *Calcutta* or *Bihar and Orissa Gazette* as belonging to Class II of Rule III of Notification No. 1993, dated the 6th April 1907.

Breach of any of the conditions of this license will render the license liable to forfeiture, in addition to any punishment to which the holder thereof may be liable under any law for the time being in force.

FORM B.

SHOOTING PERMIT.

Under Rule VI of Notification No. 1993 For., dated 6th April 1907.

Name of permit-holder

Residence

Status

Period for which valid

Name of Forest or portion thereof for which the permit is granted, with boundaries thereof.

Description of carnivorous or other animal dangerous to life which the permit holder is permitted to hunt, shoot or trap.

Dated 19 .

Signature of Issuing Officer.

[Reverse.]

1. This permit is non-transferable, available only for the period specified, not exceeding three months, and only authorises the hunting, shooting or trapping of the animal or animals described therein.

2. The holder of this permit shall camp only on such regular camping grounds as may have been set apart by the Forest authorities, or in places specially pointed out to him by a Forest-officer.

The holder of this permit is not exempted from liability under the Forest Act or any other law, for anything done in contravention of such Act or law, or for any damage caused by him, his retainers or followers.

(c) General.

* In exercise of the powers conferred by sections 2 and 3 of the Wild Birds and Animals Protection Act, 1912 (Act VIII of 1912), the Lieutenant-Governor in Council is pleased to declare the following to be close time in respect of the birds and animals specified below throughout the territories comprised in Bihar and Orissa with the exception of the Khondmals and areas which have been constituted Reserve and Protected Forests and are governed by rules framed under clause (1) of section 25 and clause (2) of section 31 of the Indian Forest Act, 1878 (Act VII of 1878) :—

Birds.	Close time.
Herons, Egrets, Rollers, Kingfishers, Hoopoes, Indian Orioles and Black-headed Orioles.	Whole year.
Ducks, Florican, Jungle fowl, Partridges, Peafowl, Pigeons, Sand-grouse, painted snipe, and spur fowl.	15th April to 30th September.
Animals.	Close time.
The females of buffaloes, bison, deer, gazelles and antelopes (except <i>Nilghai</i> in the trans-Gangetic Districts) and male deer when hornless or with horns in velvet.	Whole year.
Hares, the females of <i>Nilghai</i> , males of deer, gazelles and antelopes (except <i>Nilghai</i> in the trans-Gangetic districts).	1st May to 31st October.

Provided that the close times declared above shall not be held to apply in the case of tribal hunts of aboriginal races.

SECTION VI.

NOTIFICATIONS AND RULES UNDER SECS. 29 AND 31 OF THE INDIA FOREST ACT.

(a) Angul Protected Forests:

* I—RESERVATION OF TREES AND PROHIBITIONS UNDER SECTION 29.

(i) The following species of trees on lands not settled with any person in the villages and tracts outside the reserved area in the estate of Angul are reserved from the date of this notification, namely :—

1. Mango (*vernacular Amba*) (*Mangifera indica*).
2. Tamarind (*vernacular Tentuli*) (*Tamarindus indica*).
3. Maulo (*Bassia latifolia*).
4. Jamu (*Eugenia Jambolana*).
5. Jack (*vernacular panasa*) (*Artocarpus integrifolia*).
6. Limbo nim (*Melia indica*).
7. Kendu (*Diospyros Melanoxylon*).
8. Hog-plum (*vernacular Amra*) (*Spondias mangifera*).
9. Charo (*Buchanania latifolia*).
10. Harira (*Terminalia Chebula*).
11. Koochila (*Strychnos Nux-vomica*).
12. Khair (*Acacia Catechu*).
13. Gundi (*Mallotus philippinensis*).
14. Bahara (*Terminalia belerica*).
15. Aimla (*Phyllanthus emblica*).
16. Simli (the cotton tree) (*Bombax malabaricum*).
17. Punanga (*Calophyllum Inophyllum*).
18. Karanja (*Pongamia glabra*).
19. Kusum (*Schleichera trijuga*).
20. Telni (*Wendlandia tinctoria* and *Wendlandia exserta*).
21. Sal (*Shorea robusta*).
22. Bija (*Pterocarpus Marsupium*).
23. Mahanim (*Ailanthus excelsa*).
24. Sissu (*Dalbergia Sissoo* and *D. latifolia*).
25. Bandhan (*Ougeinia dalbergioides*).
26. Gumhari (*Gmelina arborea*).
27. Bar (*Ficus bengalensis*).
28. Pipal (*Ficus religiosa*).
29. Asan (*Terminalia tomentosa*).

(ii) Subject to the rules made under section 31 of the said Act, the following acts are prohibited, namely :—

- (1) The quarrying of stone.
- (2) The burning of lime and charcoal.

(3) The collection or subjection to any manufacturing process or removal of any forest-produce.

(4) The breaking up or clearing for cultivation, for building, for herding cattle or for any other purpose, any land.

* 2—ANGUL PROTECTED FOREST RULES (SECTION 31).

The following are the rules for the Protected Forests in the estate and district of Angul in the Orissa Division:—

1. Except as hereinafter provided, all *bona fide* residents on Government land in the estate of Angul may (within the limits of their respective villages) fell, convert and remove to their homes and for their own use only—

(i) all trees and timber of the species not reserved, as well as forest-produce of every description, free of charge, and

(ii) with the previous written permission of the Deputy Commissioner all trees and timber of the reserved species defined in Section I (i) above, on payment of a royalty equal to half the prevailing rate for such timber in the Reserved Forest area.

†2. If there is no forest within the boundary of any village the Deputy Commissioner may, in any special case, authorize any inhabitant thereof to remove any timber or other forest-produce for his own private use from any other village, either (a) free of charge, or (b) on payment of a royalty equal to half the rate prevailing in the Reserved Forest area.

3. All trees and timber, not of the reserved species, have been set aside for the use of the tenants and residents of the estate and may not be injured, cut, collected or removed except as hereinafter provided.

4. Trees of the following description—Bheru (*Chloroxylon swietenia*), Kasi (*Briodelia retusa*), Kontasira (*Albissia*), Kongra (*Xylia dolabriformis*), Sonari (*Cassia Fistula*), Kurum (*Adina cordifolia*), Gohira Suam or Roni (*Soyimida febrifuga*), Tentra, Dhao (*Anogeissus latifolia*), Churiana (*Ochrocarpus longifolius*)—may not be lopped nor cut for fuel, fencing material or any other purpose without the Deputy Commissioner's written permission, but they may be felled and removed for the construction and repair of houses and for the manufacture and repair of household furniture and agricultural implements. The Deputy Commissioner may remove from, or add trees of, any species other than reserved trees to the above list.

*Vide Notification No. 465T.—B For., dated the 12th June 1899.

No 1976T.—B, dated the 26th July 1905.

5. No trees of any species, if more than 6 feet in girth, shall be cut without the Deputy Commissioner's sanction.

6. No large tree of any kind having a girth of over 6 feet, which may be of use as a shelter for cattle or is growing on the boundary line of any village or within 60 feet of a public road, shall be cut.

7. All *bond fide* residents in the estate will be permitted to gather within the limits of their own village, or, with the sanction of the Deputy Commissioner, elsewhere, edible roots, fruit and firewood for their personal use or for sale to other residents in the estate, but the Deputy Commissioner may for any good reason withdraw this concession from any locality or village.

8. All *bond fide* residents may (within the limits of their respective villages) cut and remove bamboos for their own use only, but such of them as are professional basket-makers may cut them for the manufacture of baskets and mats for sale.

9. A license may be granted by the Deputy Commissioner—

- (a) to any inhabitant of a town or village in the vicinity of the Protected Forest, permitting him to take trees, timber, and other forest-produce for his own use; or
- (b) to any person authorizing him to cut, convert or remove trees, timber or other forest-produce for the purpose of trade, or to any person authorizing him to pasture cattle in the said forest.

10. Such license shall provide for payment by the licensee, at the current rates, for timber or other forest-produce to be taken or for any right of pasture conferred.

11. A washerman, 'potter, blacksmith, or other person following an industry which requires the consumption of a large quantity of fuel, shall obtain from the Deputy Commissioner an annual license for which he shall pay such license fee, not exceeding one rupee, as may seem to the Deputy Commissioner proper.

12. No person shall—

- (a) cut any green tree at a height exceeding 12 inches from the ground;
- (b) fell, convert, remove or otherwise deal with any tree, timber or other forest-produce of the said forest, or pasture any cattle therein except, as provided by these rules;

- (c) cut up for fuel or fencing, or in any way damage, waste, or lessen the value of any wood of the reserved description;
- (d) injure any tree of the reserved species, whether in the course of collecting forest-produce or in any other way, except when permission has been accorded to rear *tussur* or *lao* on *kusum* or other trees when the branches may be lopped or when the branches of the *khair* are cut for the manufacture of catechu;
- (e) use fire in the process of collecting forest-produce, clearing land for cultivation or improvement of pasture lands;
- (f) manufacture charcoal, except in localities previously approved by the Deputy Commissioner; or,
- (g) hunt, shoot or fish in contravention of any rules for the time being in force as to a close season or the possession and use of arms.

13. With the permission of the Deputy Commissioner trees of the reserved species and bamboos may be felled, cut, lopped or removed, and other forest-produce may be manufactured and removed on behalf of a public object or Government work or for the improvement of the Government estate, the produce being disposed of as may have been approved by the Deputy Commissioner. Any amounts realized from this source will be credited as forest revenue.

14. Persons who are *bond fide* residents on Government land in the district may (within the limits of their respective villages) graze, free of charge, any cattle other than sheep and goats, which are their own property, or which they may have hired for their own household or agricultural work, provided that—

- (a) the pasturing of sheep and goats shall be prohibited if separate areas are available and can be allotted for the purpose;
- (b) the Deputy Commissioner may, to promote tree growth, close any area to the pasturing of cattle or sheep and goats for any period not exceeding five years, when in his opinion there is sufficient grazing ground available elsewhere within a reasonable distance;

(c) if it shall appear to the Deputy Commissioner that the area within the limits of any village cannot afford proper pasturage for cattle (*bonâ fide* the property of the villagers), he may, by an order in writing, authorize them to graze their cattle within any other forest area, provided it can supply the requirements of both villages;

(d) professional graziers of goats and sheep may only graze such animals in places set apart for the purpose by the Deputy Commissioner; all professional graziers shall pay the following grazing fees or such other fees as may, from time to time, be fixed by the Local Government:—

For a buffalo (of any age), 8 annas for any period not exceeding one year.

For any other animal (of any age), 4 annas for any period not exceeding one year.

15. No land in the protected area shall be cleared or broken up for temporary or permanent cultivation, except with the written permission of the Deputy Commissioner and subject to the condition that slopes having a gradient of more than 15 degrees shall not be cultivated, and that trees of the reserved species, including stems of any age, shall not be felled, cut, burnt or injured in any way.

16. No land shall be cleared or broken up for any irrigation work or any public purpose, without the written permission, in each case, of the Deputy Commissioner.

17. These rules are subject to the provisions and conditions of any settlement of revenue and record-of-rights made or hereafter to be made under any rule or law for the settlement of land for the time being in force in the district of Angul.

18. The Deputy Commissioner may, with the sanction of the Commissioner, Orissa Division, previously obtained by an order in writing, delegate to the Forest Officer in charge of the Angul Forest Division, all or any of the powers conferred on him by these rules, and may, by a like order under similar sanction, resume any power so delegated. When such powers are conferred on the Forest Officer the Protected Forests shall, to the extent of the power delegated, be under his management but the same shall be exercised, subject to the control of the Deputy Commissioner of Angul.

(b) Chota Nagpur Protected Forests.

* (1).—RESERVATION OF TREES AND PROHIBITIONS UNDER SECTION 29.

(i) The following species of trees are reserved, namely :—

1. Sal (*Shorea robusta*).
2. Asan (*Terminalia tomentosa*).
3. Kusum (*Schleichera trijuga*).
4. Kohua (*Terminalia Arjuna*).
5. Harra (*Terminalia Chebula*).
6. Paisar (*Pterocarpus Marsupium*).
7. Nim (*Melia indica*).
8. Tamarind (*Tamarindus indica*).
9. Mango (*Mangifera indica*).
10. Mahua (*Bassia latifolia*).
11. Khair (*Acacia Catechu*).
12. Karam (*Adina cordifolia*).
13. Karanj (*Pongamia glabra*).

(ii) Subject to the rules made under section 31 of the Forest Act, the following acts are prohibited, namely :—

- (1) The quarrying of stone.
- (2) The burning of lime and charcoal.
- (3) The collection or subjection to any manufacturing process of removal of any forest-produce.
- (4) The breaking up, or clearing for cultivation, for building, for herding cattle, or for any other purpose, any land.

† (2).—RULES FOR THE CHOTA NAGPUR PROTECTED FORESTS (SECTION 31).

The following are the rules for the Protected Forests in the districts of Singhbhum, Lohardaga, ‡ Palamau, Hazaribagh and Manbhum in the Chota Nagpur Division :—

§ Rule 1.—Persons who are *bona fide* residents on Government land in any of the said districts (hereinafter referred to as “villagers”) may do any of

* Vide Notification No. 3589 For., dated the 17th July 1914.

† Vide Notification No. 566 For., dated the 28th January 1895.

‡ The Lohardaga District has since been named Ranchi.

§ Vide Notification No. 333 For., dated the 18th January 1896.

the following acts, free of charge, *within the limits of the Protected Forest block or blocks adjacent to their respective villages, namely :—*

- (1) cut, convert and remove to their homes for their own private use but not for sale or barter, any green trees or timber not of a reserved species as defined in Notification No. 3589 For., dated the 17th July 1894, any dry trees or timber of whatever kind, and any other forest-produce ;
- (2) cut, convert and remove such green trees of any reserved species excepting Mahua (*Bassia latifolia*), Kohua (*Terminalia Arjuna*) and Harra (*Terminalia Chebula*) trees, and trees whose girth at four feet from the ground is less than two and-a-half feet, as may be required for the construction or repair of their houses, or for the manufacture or repair of articles for their own domestic use or of implements of agriculture or other industry for their own use ;
- (3) pasture any cattle (other than sheep or goats) which are *bona fide* their own property :

Provided as follows —

- (a) sheep and goats may be pastured within such areas as may be allotted by the Deputy Commissioner ;
- (b) the Deputy Commissioner may, in order to promote tree-growth close any area to the pasturing of cattle, for any period not exceeding five years, when there is, in his opinion, sufficient grazing ground available elsewhere, not too inconveniently situated with reference to the villages concerned ;
- *(c) In the Protected Forests of the district of Palamru, green trees of any reserved species (excepting Mahua, Kohua and Harra) whose girth at four feet from the ground is more than one foot six inches, and less than three feet, may be cut, converted and removed for the purpose indicated above.

†2. If it shall be proved to the satisfaction of the Deputy Commissioner that the protected *forest block or blocks* adjacent to any village cannot produce the timber or other forest-produce reasonably required by the villagers, for their own private use, or cannot afford proper pasturage for cattle, *bona fide* the property of the villagers, and that *the Protected Forest block*

*Vide Notification No. 1039T.-R., dated the 5th November 1896.

† 383 For., dated the 18th January 1896.

blocks adjacent to some other village can supply the deficiency in addition to supplying the wants of the inhabitants of such other village, he may, by order in writing, authorise the said villagers to do any of the acts mentioned in Rule I *within the limits of such other Protected Forest block or blocks.*

3. (1) Licenses may be granted by the Forest-officer—

- (a) to any inhabitant of a town or village in the vicinity of the said forest, authorising him to take trees, timber or other forest-produce for his own use ; or
- (b) to any person, authorising him to fell or remove trees or timber or other forest-produce from the said forest for the purposes of trade ; or
- (c) to any person, authorising him to pasture cattle in the said forest.

(2) Every such license shall provide for payment by the licensee at the current rates for all trees, timber or other forest-produce taken, or for any right of pasture conferred, thereunder.

*3. A. The Conservator of Forests shall with the approval of the Commissioner, from time to time, fix the rates to be paid for trees, timber, or other forest-produce.

4. No person shall cut, convert or remove from the said forest, or otherwise deal with any tree, timber or other forest-produce of the said forest, or pasture any cattle therein, except as provided by Rules 1, 2 and 3.

†5 If any green trees of any reserved species should be cut, converted or removed by villagers otherwise than as provided by rule 1, clause 2, the Deputy Commissioner may, by order in writing, prohibit the cutting of any reserved species until the written permission of the Forest-officer has been obtained and the trees permitted to be cut have been marked by or under the order of the Forest-officer.

6. No person who is authorized by or under these rules to cut, convert or remove trees, timber or other forest produce shall injure or wastefully use any tree of any reserved species, whether in the course of collecting forest produce or in any other way : provided that this prohibition shall not extend to the lopping of Asan (*Terminalia tomentosa*), Kusum (*Schleichera trijuga*), or Palas (*Butea frondosa*) trees for the collection of cocoons or lac which may have formed on them.

*Vide Notification No. 4705B(B), dated the 7th October 1912.

„ 2109 For. dated the 21st July 1906.

7. Any person who fells a green tree under these rules shall cause the same to be cut as level with the ground as may be feasible.

8. No land in the said forest shall be cleared or broken up for cultivation or any other purpose without the written permission of the Deputy Commissioner.

9. No person who is authorized by or under these rules to do any act shall use fire in the collection of forest produce, in the clearing of land for cultivation, or for the improvement of pasturage lands.

10. Nothing in these rules shall be held to permit any infringement of the rules for the time being in force in the "Protected Forests" of Bihar and Orissa, for the regulation of hunting, shooting, and fishing.

*11. The Deputy Commissioner may, by order in writing, delegate to the Forest Officer all or any of the powers conferred on himself by these rules, and may, by a like order, resume any power so delegated: provided that this rule is not applicable to the Protected Forest in Palamanu, where the Deputy Commissioner is the Forest Officer.

(c). Rules for the Porahat Estate.

† *Rules under section 29 in the demarcated blocks of the Protected Forests in the Porahat Estate, Singhbhum district (Reservation of trees and prohibition).*

(a) The following species of trees shall be reserved, namely :—

- (1) Sâl (*Shorea robusta*) ;
- (2) Asan (*Terminalia tomentosa*) ;
- (3) Kusum (*Schleichera trijuga*) ;
- (4) Mango (*Mangifera Indica*) ;
- (5) Mahua (*Bassia latifolia*) ;

(b) the following acts shall, subject to any rule made in respect of the said blocks under section 31 of the aforesaid Act be prohibited, namely —

- (1) the quarrying of stones ;
- (2) the burning of lime and charcoal ;
- (3) the collection, or subjection to any manufacturing process, or removal of any forest-produce ;
- (4) the breaking up or clearing for cultivation, for building for herding cattle or for any other purpose, any land.

* Vide Notification No. 3630 For., dated 22nd December 1906.

† " " " 2109 For., dated 21st July 1906.

* 2.—*Rules under sec. 81 to regulate the cutting and removal of Timber and Forest Produce, the pasturing of Cattle and protection from fire in the demarcated blocks of the Protected Forests in the Porahat Estate.*

Removal of forest-produce for private use and pasturage by tenants of Porahat Estate.

I. Persons who are *bond fide* residents on land belonging to the zemindar in the Porahat Estate, whether in *khas*, *kharposh* or *brahmottar* villages (hereinafter referred to as villages) may do any of the following acts free of charge within such part of any demarcated forest block as *lies* within the boundaries of their respective villages, namely:—

- (1) take any forest-produce for their own private use, but not for sale or barter;
- (2) pasture any cattle (other than sheep and goats) which are *bond fide* their own property.

Provided.

Provided as follows:—

- (a) this privilege shall not extend to professional graziers;
- (b) the Deputy Commissioner may, in order to promote tree growth, close any area to the pasturing of cattle for any period not exceeding five years when there is, in his opinion, such sufficient grazing ground available elsewhere, as is not too inconveniently situated with reference to the villages concerned;
- (c) if the inhabitants of any such village habitually infringe these rules, or permit of their being infringed, the Deputy Commissioner may, by an order in writing, withdraw the special privileges exercised by them for a period not exceeding five years.

Setting apart of special areas for use of residents.

II. Any resident of any village within the said estate shall be entitled to do any of the acts mentioned in Rule I, free of charge, in any area set aside for the purpose by the Deputy Commissioner.

Grant of licences to cut and remove forest-produce and to pasture cattle.

III. Licences may be granted by the Forest Officer—

- (a) to any inhabitant of a town or village in the vicinity of a demarcated forest block, authorizing him to take trees, timber or other forest-produce therefrom for his own use; or
- (b) to any person authorizing him to sell or remove trees or timber or other forest-produce from such block for the purpose of trade; or
- (c) to any person authorizing him to pasture cattle in such block.

Every such license shall provide for payment by the licensee at the current rates for all trees, timber or other forest-produce taken, or for the right of pasture conferred thereunder.

IV. No person shall cut, convert or remove from the said forest blocks, or otherwise deal with, any tree, timber or other forest-produce of the said blocks, pasture any cattle therein, except as provided by Rules I, II and III.

Prohibition against cutting, converting and removal otherwise than in accordance with these rules.

V. No person who is authorized by or under these rules to cut, convert or remove trees, timber or other forest-produce shall injure or wastefully use any tree, whether, in the course of collecting any forest-produce or in any other way :

Prohibition against injury and waste.

Provided that this prohibition shall not extend to the lopping of trees for the collection of lac by the residents of the village within which they stand.

VI. Any person who fells a green tree under these rules shall cause the same to be cut as nearly level with the ground as may be feasible.

Method of cutting green trees.

VII. (a) No person shall use fire in the collection of forest-produce for the improvement of pasturage lands or for any other purpose.

Protection against fire.

(b) The fire-protection rules for the time being in force in the Reserved Forests of the Singbhum Division shall apply, *mutatis mutandis*, to the demarcated protected-forest blocks situated in the Porahat Estate.

VIII. The Deputy Commissioner may, by order in writing, delegate to the Forest Officer all or any of the powers conferred on himself by these rules, and may, by a like order, resume any power so delegated.

Delegation of power.

***3 RULES UNDER SECTION 29 FOR THE RESERVATION OF TREES AND PROHIBITIONS IN THE UNDEMARCATED PROTECTED FORESTS OF PORAHAT ESTATE.**

(1) The following species of trees shall be reserved, namely :—

1. Sal (*Shorea robusta*).
2. Asan (*Terminalia tomentosa*).
3. Kusum (*Schleichera trijuga*).
4. Mango (*Mangifera indica*).
5. Mahua (*Bassia latifolia*).

II. The following acts shall subject to any rules made in respect of the said blocks under section 31 of the said Act, be prohibited, namely :—

- (a) The quarrying of stone ;
- (b) The burning of lime or charcoal ;
- (c) The collection or subjection to any manufacturing process, or the removal of any of the following kinds of forest-produce, namely :—
 - (i) trees of any reserved species ;
 - (ii) trees which are over 3 feet in girth at a height of 3 feet from the ground ;
 - (iii) peat ;
 - (iv) surface soil ; and
 - (v) rock and minerals (including limestone, laterite, mineral oils, and all products of mines or quarries); and
- (d) The breaking up or clearing, for any purpose, of any land which is not suitable for permanent cultivation.

* (2) RULE UNDER SECTION 31 OF THE INDIAN FOREST ACT FOR THE UNDEMARCATED PROTECTED FORESTS OF PORAHAT ESTATE.

1. No person shall cut, convert or remove trees or timber, or collect or remove forest-produce, or pasture cattle, or clear land for cultivation, except as provided by these rules.

2. Any persons who have been recorded at the last settlement of the Porahat Estate as tenants having a right to take forest-produce, whether in khas, *khorposh* or *brahmottar* villages, may do any of the following acts, free of charge, within such part of any undemarcated forest as lies within the boundaries of their respective villages, namely:—

- (1) Take any of the forest-produce for their own private use, but not for sale or barter ;
- (2) Pasture any cattle which are *bona fide* their own property ;
- (3) clear for cultivation any land on which they *bona fide* intend to establish permanent cultivation :

Provided as follows :—

- (a) this rule shall not extend to professional graziers ;

- (d) if the inhabitants of any village habitually infringe or permit the infringement of any of these rules the Deputy Commissioner may, by order in writing, withdraw from them for a period not exceeding five years, the privileges conferred by this rule.

3. Any resident of any village in the Porahat Estate may be authorized by the Deputy Commissioner to do any of the acts mentioned in rule 2, free of charge, in any area set apart for the purpose by the Deputy Commissioner.

4. (1) Licenses may be granted by the Forest Officer—

(a) to any inhabitant of a town or village in the vicinity of an undemarcated forest, authorizing him to take trees, timber or other forest-produce therefrom for his own use ; or

(b) to any person, authorizing him to fell or remove trees, timber or other forest-produce from an undemarcated forest for the purposes of trade.

(2) Every such license shall provide for payment being made by the licensee, at the rates prescribed for the time being, for all trees, timber or other forest-produce taken, felled, or removed thereunder.

5. No person who is authorized by these rules to fell, remove or take trees, timber or other forest-produce shall injure or wastefully use any tree of a reserved species, or any tree which is over 3 feet in girth at a height of 3 feet from the ground, whether in the course of collecting forest-produce or doing any other act :

Provided that this prohibition shall not extend to the lopping of trees for the collection of lac by residents of the village within which they stand.

6. Any person who fells a green tree under these rules shall cause the same to be cut as nearly level with the ground as may be feasible.

7. The Deputy Commissioner may, by order in writing, delegate to the Forest Officer all or any of the powers conferred on himself by these rules, and may, by like order, resume any power so delegated.

(d) Khurda Protected Forests,

(1.)—RESERVATION OF TREES AND PROHIBITIONS UNDER SECTION 29.

(a) The following classes of trees are reserved, namely:—

1. Mango ; vernacular Am (*Mangifera indica*).
2. Tamarind ; vernacular Tentuli (*Thamarindus indica*).
3. Mohul (*Bassia latifolia*)
4. Jack ; vernacular Panasa (*Artocarpus integrifolia*).
5. Kuchila (*Strychnos Nux-vomica*).
6. Nim (*Melia indica*).
7. Bol (*Egle Malmesos*).
8. Kendhu (*Diospyros Melanoxylon*).
9. Hara (*Terminalia Chebula*).
10. Gundi (*Mallotus philippinensis*).
11. Kusum (*Schleichera trijuga*),
12. Sonari (*Cassia fistula*),
13. Suam (*Soyimida febrifuga*),
14. Sal (*Shorea robusta*).
15. Piasal (*Pterocarpus Marsupium*);
16. Siasu (*Dalbergia Sissoo* and *D. latifolia*),
17. Banyan (*Ficus bengalensis*).

(b) Subject to the rules made under section 31 of the Forest Act, the following acts are prohibited, namely:—

- (1) the quarrying of stone ;
- (2) the burning of lime and charcoal ;
- (3) the collection or subjection to any manufacturing process or removal of any forest-produce ;
- (4) the breaking up or clearing of any land for cultivation, for building, for herding cattle or for any other purpose ;

*Vide Notification No 1954 For., dated the 15th May 1892.

" 5140 For., dated the 19th November 1894.

*** (2.)—Khurda Protected Forest Rules under sections 31 and 41.**

The following are the rules for the management of the Protected Forests of the Government Estate of Khurda in Orissa:—

1. The Khurda Protected Forests shall be under the management of the Officer in charge of the Puri Forest Division, acting under the order of the Collector of Puri.

2. Green trees of the species reserved under section 29 (named in Schedule A. below) may not be felled, cut, lopped, or in any way injured, without the written permission of the Collector of Puri in each case, and such permission will only be given in behalf of some public object. The material yielded by the operation can be disposed of as the Collector may decide, but all revenue realized from this source must be credited to the Forest Department.

3. All trees and timber not belonging to the classes reserved under section 29 have been set aside for the use of the raiyats and other residents of the estate, and may not be felled, cut, collected or removed, except as provided in these rules.

4. No trees of whatever species, whether especially reserved under section 29 or not, growing on the banks of any tank, or within eighty feet from the centre of any road, shall be cut without the previous sanction of the Collector; nor shall any tree of a species (enumerated in Schedule B), which ordinarily grows to a greater girth than two feet be felled for any purpose when under that girth at a height of four feet from the ground.

5. Trees of the following species may not be lopped, but may be felled and removed for purposes of house construction and repair, and for the manufacture and repair of household and agricultural implements and furniture:—

1. Karam (*Adina cordifolia*).
2. Gambar (*Gmelina arborea*).
3. Mohanim (*Ailanthus excelsa*).
4. Chariana (*Ochrocarpus longifolia*).
5. Bheru (*Chloroxylon Swietenia*).
6. Korong (*Pongamia glabra*).
7. Dhau (*Anogeissus latifolia*).
8. Kongra (*Xylia dolabriformis*).
9. Tinia (*Albizia Lebbeck*).
10. Mohin (*Odina Wodier*).

11. Kasi (*Briedleia retusa*),
12. Poonang (*Calophyllum Inophyllum*),
13. Bandan (*Eugenia dalbergioides*).
14. Asan (*Terminalia tomentosa*).
15. Bahera (*Terminalia belerica*).

These trees are not to be cut for firewood, fencing material, or for any other purpose than that mentioned above, without the Collector's written sanction.

6. Every resident of the Khurda Government estate and all members of the indigenous tribes of Savars and Boudia, as also all landless labourers may, subject to the conditions of rule 5, fell, cut, collect and remove all trees not reserved under section 29, and all dry trees and dry timber of kinds, excepting Sale (*Shorea robusta*), Piasal (*Pterocarpus Marsupium*) and Sissu (*Dalbergia Sissoo* and *D. latifolia*), and all other forest-produce whatever, "with the exception of fruit produced by trees which have been leased or may be hereafter leased by the Subdivisional Officer Khurda" provided—

(i) that such trees or produce shall not be sold to persons not themselves privileged under these rules to fell or remove them ;

† (ii) That the following payments be made annually to the Collector of Puri for credit to the forest Department as forest revenue on account of the general use of the protected forest, namely—

(a) by every rent-paying raiyat in the estate a payment calculated at the rate of 6 pies in the rupee on his rent, or at such less rate as may be fixed from time to time, by the Local Government ; and

(b) by the following persons, namely :—

- (1) all raiyats not referred to in clause (a),
- (2) all tenure-holders,
- (3) all classes of rent-free or revenue-free holders having their free or revenue-free lands within the geographical limits of the estate and residing within its limits, and
- (4) all tenants holding land under rent-free or revenue-free holders a payment calculated at the rate prescribed by or under sub-clause (a) on the valuation of the land as determined for the purpose of assessing road cess thereon.

* Notification No 1685, dated the 26th March 1906.

† Notification No. 1504 T.—B., dated 24th September 1908.

(iii) *that no dhobi, potter, blacksmith, fisherman, or other person following an industry in the carrying on of which an unusually large quantity of trees, timber or other forest-produce is consumed, whether as fuel or for any other purpose, shall fell, cut, collect or remove any trees, timber, or other forest produce under this rule unless he first obtains from the Divisional Forest Officer an annual license in this behalf, for which a charge shall be made at the rate of one rupee, or at such other rate or rates as may be notified by the Local Government from time to time.

(iv) that while persons privileged under this rule to take forest produce may also graze their cattle, professional graziers of goats and sheep may only graze such animals in localities to be set aside for the purpose by the Collector of Puri, and all professional graziers shall pay the following grazing fees, or such other fee as may be fixed from time to time by the Local Government :—

Per buffalo (of any age) 8 annas per annum, or for any period of less than a year.

Any other animal (of any age) 4 annas per annum, or for any period of less than a year.

7. In cases where the Collector shall have reported that the raiya's or other residents are improperly destroying the forests, or are wasting or misappropriating produce, or otherwise abusing the privileges allowed them by these rules, or any of them, the Local Government may, by notification in the *Bihar and Orissa Gazette*, declare that all or any of the said privileges shall be suspended within any specified area or areas during such term, not exceeding 20 years as may be specified in that behalf.

(2) The Collector may, notwithstanding any such notification, grant licenses under his hand to any of the raiyats or other residents, exempting the licensees from the operation of the said notification either absolutely or in respect of any particular class or classes of produce, or of produce marked by the departmental mark or indicated in any prescribed manner.

(3) The Local Government may, at any time, alter or cancel any such notification.

8. No land in the Khurda Protected Forests may be cleared or broken up for *toila*, i. e., temporary cultivation, except with the written permission of the Collector of Puri, and then only subject to the condition that tree-wood of the species reserved under section 29 (including stems of any age) may not be felled, lopped, burnt, or in any way injured.

SCHEDULE A.

LIST OF TREES RESERVED UNDER SECTION 29 OF THE INDIAN FOREST ACT, VII OF 1878.

- | | |
|--|---|
| 1. Mango; vernacular Am (<i>Mangifera indica</i>). | 9. Hara (<i>Terminalia Chebula</i>). |
| 2. Tamarind; vernacular Tentuli (<i>Tamarindus indica</i>). | 10. Gundi (<i>Mallotus philippinensis</i>). |
| 3. Mohua (<i>Bassia latifolia</i>). | 11. Kusum (<i>Schleichera tryumga</i>). |
| 4. Jack; vernacular Panasa (<i>Artocarpus integrifolia</i>). | 12. Sonari (<i>Cassia Fistula</i>). |
| 5. Kuohila (<i>Stychnos Nuxvomica</i>). | 13. Suam (<i>Soyimida febrifuga</i>). |
| 6. Nim (<i>Melia indica</i>). | 14. Sal (<i>Shorea robusta</i>). |
| 7. Bel (<i>Egle Marmelos</i>). | 15. Piasal (<i>Pterocarpus Marsupium</i>). |
| 8. Kendhu (<i>Diospyros Melanoxylon</i>). | 16. Sissu (<i>Dalbergia Sissoo and D. latifolia</i>). |
| | 17. Banyan (<i>Ficus bengalensis</i>). |

SCHEDULE B.*

LIST OF TREES (OTHER THAN THOSE MENTIONED IN SCHEDULE A) WHICH ORDINARILY GROW TO A GREATER GIRTH THAN TWO FEET

(vide RULE 4.)

- | | |
|--|--|
| 1. Karam (<i>Adina cordifolia</i>). | 23. Jam (<i>Eugenia Jambolana</i>). |
| 2. Gambari (<i>Gmelina arborea</i>). | 24. Kumbi (<i>Careya arborea</i>). |
| 3. Mohanim (<i>Ai'anthus excelsa</i>). | 25. Phansi (<i>Anogeissus acuminata</i>). |
| 4. Chariana (<i>Ochrocarpus longifolius</i>). | 26. Sidha (<i>Lagerstramia parviflora</i>). |
| 5. Bheru (<i>Chloroxylon Swietenia</i>). | 27. Keri Kadam (<i>Stephygyne parvifolia</i>). |
| 6. Korong (<i>Pongamia glabra</i>). | 28. Ketrunja (<i>Gardenia latifolia</i>). |
| 7. Dhau (<i>Anogeissus latifolia</i>). | 29. Achu (<i>Morinda esserta</i>). |
| 8. Kongora (<i>Xylia do'abriiformis</i>). | 30. (<i>Agiceras corniculata</i>). |
| 9. Tinia (<i>Albizzia Lebbeck</i>). | 31. Chhatiana (<i>Alstonia scholaris</i>). |
| 10. Mohin (<i>Odina Wodier</i>). | 32. Kotoko (<i>Stychnos potatorum</i>). |
| 11. Kasi (<i>Briedelia retusa</i>). | 33. Mosonea (<i>Ehretia laevis</i>). |
| 12. Poonang (<i>Calophyllum Inophyllum</i>). | 34. Phumphuna (<i>Orozygum indicum</i>). |
| 13. Bandan (<i>Eugenia dalbergioides</i>). | 35. (<i>Stereospermum Chelonoides</i>). |
| 14. Asan (<i>Terminalia tomentosa</i>). | 36. Patli (<i>Stereospermum suaveolens</i>). |
| 15. Bahera (<i>Terminalia belerica</i>). | 37. Boroputri (<i>Callicarpa arborea</i>). |
| 16. Makar Kendu (<i>Diospyros Embryopteris</i>). | 38. Baha Jari (<i>Ficus retusa</i>). |
| 17. Simuri (<i>Bombax malabaricum</i>). | 39. (<i>Ficus hispida</i>). |
| 18. Lunka-am (<i>Anacardium occidentale</i>). | 40. Darrango (<i>Ulmus integrifolia</i>). |
| 19. Chara (<i>Buchanania latifolia</i>). | 41. Onra (<i>Phyllanthus emblica</i>). |
| 20. Kuntiparas (<i>Butea frondosa</i>). | |
| 21. Chakundi (<i>Dalbergia lanceolaria</i>). | |
| 22. Khair (<i>Acacia Catechu</i>). | |

(e) Sambalpur Protected Forests.

* (1).—RESERVATION OF TREES AND PROHIBITIONS.

UNDER SECTION 29.

(a) The following species shall be reserved, namely:—

1. Mango (*Mangifera indica*).
2. Tamarind (*Tamarindus indica*).
3. Mahua (*Bassia latifolia*).
4. Achar (*Buchanania latifolia*).
5. Tal (*Borassus flabelliformis*).
6. Khejur (*Phoenix, Linn*).
7. Bel (*Egle Marmelos*).
8. Harra (*Terminalia Chebula*).
9. Bahera (*Terminalia belerica*).
10. Kusum (*Schleichera trijuga*).
11. Nim (*Melia indica*).
12. Jack (*Artocarpus integrifolia*).
13. Kendu (*Diospyros melanoxylon*).
14. Jamun (*Eugenia Jambolana*).

(b) The following acts shall, subject to any rule made in respect of the said forests under section 31 of the said Act, be prohibited, namely:—

- (1) the quarrying of stone ;
- (2) the burning of lime or charcoal ;
- (3) the collection or subjection to any manufacturing process or removal of any forest-produce ;
- (4) the breaking up or clearing for cultivation, for building, for herding cattle, or for any other purpose, any land.

† (2).—SAMBALPUR PROTECTED FOREST RULES.

(SECTION 31).

In exercise of the powers conferred by section 31 of the Indian Forest Act, 1878 (VII of 1878), and with the sanction of the Governor-General in

*Vide Notification No. 181ST.—B., dated the 9th September 1909.

1814T.—B., dated the 9th September 1909.

Council, the Lieutenant-Governor is pleased to make the following rules for the Protected Forests in the district of Sambalpur:—

1. No person shall cut, convert, or remove trees or timber, or collect or remove forest-produce, or pasture cattle except as provided by these rules.

2. Subject to the restriction imposed by rules 6 to 13, any cultivator of the village may do any of the following acts, free of charge, on any waste land within the village boundaries, namely :—

- (1) take any forest-produce in reasonable quantities for his own private use within the village, but not for sale, gift or barter ; and
- (2) pasture any cattle which are *bona fide* his own property, or are in his charge for the purposes of his own cultivation:

Provided as follows:—

(a) before any timber is cut from any area which has been set apart as a village forest reserve the permission of the village Panchayet shall be obtained, both as regards species and amount;

(b) no trees growing on a village site shall be cut green without the permission of the *Panchayet*.

3. The Panchayet may authorize any non-cultivator resident in the village take any forest-produce, subject to the conditions prescribed in these rules in the case of cultivators.

4. The Deputy Commissioner may permit any person, to remove forest produce, free of charge, for a public purpose, and may permit any cultivator of a village to remove forest-produce to another village for his own private use but not for sale, gift or barter :

Provided as follows:—

(1) before the grant of any such permission the *Panchayet* of the village from which the forest-produce is to be taken shall be given an opportunity of objecting and their objection (if any) shall be considered ;

(2) a pass shall be issued in each case showing—

(a) the nature and amount of forest produce ;

(b) the villages from and to which it is to be removed ;

(c) the period for which the pass is current ;

(3) a copy of each pass issued shall be forwarded forthwith to the Divisional Forest Officer.

5. (1) Any land which has not been recorded in the village papers as village forest or fodder reserve may be cleared or broken up for cultivation, for building or for any other purpose in accordance with the conditions of the *wajib-ul-arz*.

(2) The person clearing such land may cut self-sown trees of any reserved species whose girth at 4 feet from the ground is less than 2 feet excepting mango (*Mangifera indica*), mahua (*Basia latifolia*) and kusum (*Schleichera triguja*) and may cut seedlings of any reserved species of less than two years' growth; and shall be entitled to take for his own private use, within the village, but not for sale, gift or barter, all reserved trees so cut and any other trees which he may find it necessary to fell in course of such clearing, but shall be bound by the restrictions imposed by rule 8.

(3) Any such trees which are not required by such person shall be distributed by the *Panchayet* to such residents of the village as may require them for their own private use, but not for sale, gift or barter.

6. Except with the written permission of the Deputy Commissioner no tree shall be cut within a distance of 20 yards on either bank of a stream or nala in which water ordinarily remains until the month of January.

7. Any person who fells a green tree under these rules shall cause the same to be cut as nearly level with the ground as may be possible.

8. Any person may lop, for the collection of lac, any green tree of a species reserved under section 20 of the Indian Forest Act, 1878, provided the branch cut is not over 9 inches in girth.

9. In cutting bamboos all *culms* of less than two years' growth must be kept in the clump.

10. The digging up of roots is prohibited:

Provided that such roots of the Palas (*Butea frondosa*) as are not over 9 inches in girth may be dug up for fibre if the person digging them up fills in the holes so as not to leave the remaining roots exposed.

11. No person who is authorized by these rules to cut, convert or remove trees, timber or other forest-produce shall injure or wastefully use any tree, whether in the course of collecting forest-produce or in any other way:

Provided that this prohibition shall not extend to the lopping of trees for the collection of lac by the residents of the village in which they stand.

12. No person shall use fire in the collection of forest-produce, whether for the improvement of pasturage, land or for any other purpose.

13. Nothing in these rules shall authorize any person to cut, convert or remove any tree, timber or forest-produce from any land in the direct occupation of the Government or of the District Council as roads, camping-ground or otherwise

or shall limit the rights of persons as recognized by the *wajib-ul-ars* over trees planted by them; and nothing in rules 7 to 12 shall apply to land which is being cleared for cultivation or other purposes in accordance with rule 5.

(3) "EXECUTIVE RULES FRAMED BY THE DEPUTY COMMISSIONER, SAMBALPUR, AND APPROVED BY GOVERNMENT ORDER No. 2114T.-R., DATED 21st SEPTEMBER 1909."

1.—The following trees growing on forest and waste-lands in khalsa-goan-tiahi villages in the district of Sambalpur shall not be cut without the permission of the Deputy Commissioner :—

1. Mango (*Mangifera indica*).
2. Tamarind (*Tamarindus indica*).
3. Mahua (*Bassia latifolia*).
4. Achar (*Buchanania latifolia*).
5. Tal (*Borassus flabelliformis*).
6. Khejur (*Phoenix Linn*).
7. Bel (*Egle Marmelas*).
8. Harra (*Terminalia Chebu'a*).
9. Bahera (*Terminalia belerica*).
10. Kusum (*Schleichera trijuga*).
11. Nim (*Melia indica*).
12. Jack (*Artocarpus integrifolia*).
13. Kendu (*Diospyros melanoxylon*).
14. Jamun (*Eugenia Jambolana*).

II.—Subject to the preceding rule all members of the proprietary body may cut or may permit other persons to cut forest-produce growing on cultivable land in their mahals, other than land which has been set apart as a village forest reserve either at the time of settlement or subsequently by a written order of the Deputy Commissioner, in order to clear the land for cultivation :

Provided that this rule shall not apply to—

- (i) any self-sown trees of any species other than mango (*Mangifera indica*), mahua (*Bassia latifolia*), and Kusum (*Schleichera trijuga*) whose girth at 4 feet from the ground is less than 2 feet, excepting mango, mahua and kusum; and
- (ii) all seedlings of any species of less than two years' growth which may be cut for the purpose specified in Rule II,

The forest-produce so cut may be taken by the person cutting it for his own private use within the village, but not for sale, gift or barter. Any such forest-produce which is not required by him shall be distributed by the Panchayet to such residents of the village as may require it for use in like manner.

III.—The cutting of forest-produce growing on culturable land not required for cultivation and the cutting of forest-produce growing on unculturable land, that is to say land which in the judgment of the Deputy Commissioner is to be classed as unculturable Bhatna, Barra, Barli, Bhata or Pathar, shall be limited by the following conditions, in addition to those laid down in Rule I :—

- (1) In cutting timber trees, seed-bearing trees must be left at the rate of not less than 80 per acre of the principal kinds cut, and the number of trees of all kinds left growing must not be less than 90 per acre, which number should be equally distributed throughout the area over which the cutting was effected.
- (2) In cutting timber and brushwood the cutting must be effected flush with the ground, so as to encourage reproduction by shoots from the stool.—
- (3) In cutting bamboos, all *culms* of less than two years' growth must be left in the clump.
- (1) The digging up of roots is prohibited, except in the case of the Palas the roots of which may be dug up for fibre, provided that at least one-third of the roots are left to each tree to continue its growth.
- (5) No cutting shall, without the permission of the Deputy Commissioner, be effected within a distance of 20 yards (or 40 *haths*) of either bank of a stream or *nala* in which water ordinarily remain till the month of January.
- (b) The ringing of *sal* trees for resin, so as to sever the bark round the entire circumference, is prohibited.

IV.—No member of the proprietary body of the *mihal* shall remove, or cause to be removed, for sale, gift or barter, any forest produce; nor shall he save with the previous sanction of the Deputy Commissioner and in the manner and to the extent permitted thereby, remove any forest-produce or cause it to be removed for conveyance or use outside the village area.

V.—Leaves, grass and dead-wood may at all times without any permission be removed by people entitled to do so.

VI.—The cutting of timber, bamboos or brush wood for domestic consumption (*nistar*) will ordinarily be allowed without express permission; but the Deputy Commissioner may limit such cutting for *nistar*, if he considers a limitation necessary for the preservation of the forest.

VII.—(i) If any person commits a breach of any rules II, III and IV, he shall be liable to a penalty which may extend to Rs. 200.

(ii) If any person continues to commit a breach of any of the rules II, III and IV, he shall be liable to a penalty which may extend to Rs. 50 for each day during which such breach continues.

* (4).—FOREST LAND AND WASTE LAND NOT INCLUDED IN A RESERVED FOREST (SECTION 28).

The provisions of Chapter IV of the aforesaid Act (section 28 of the Indian Forest Act, 1878) are applicable to all forest land and waste land in the Sambalpur District which is not included in a Reserved Forest, but which is the property of the Government or over which the Government has proprietary rights.

(f) Santal Parganas Protected Forests.

† (1).—RESERVATION OF TREES AND PROHIBITIONS.

UNDER SECTION 29.

(i) The following species of trees in the "Protected Forests" in the district of the Santal Parganas in the Bhagalpur Division are reserved, namely:—

1. Sal (*Shorea robusta*).
2. Satsal (*Dalbergia latifolia*).
3. Kusum or Baru (*Schleichera trijuga*).
4. Kohwa (*Terminalia Arjuna*).
5. Gamhar, Kasmar (*Gmelina arborea*).
6. Murga (*Pterocarpus Marsupium*).
7. Nim (*Melia indica*).
8. Mango, am, ul (*Mangifera indica*).
9. Tamarind, tatul or jojo (*Tamarindus indica*).
10. Jam or kod (*Eugenia jambolana*).
11. Ebony, kendh, or tirel (*Diospyros Melanoxylen*).
12. Mahua, motkom (*Bassia latifolia*).
13. Hog-plum, umra, amia (*Spondias mangifera*).
14. Rola (*Terminalia Chebula*).
15. The Jack-tree, kantahal (*Artocarpus integrifolia*).

*Vide Notification No. 1812T.—R., dated the 9th September 1902.

† Vide Notifications Nos. 4843 For., and 3900 For., dated the 2nd November 1894 and 13th December 1900.

16. Asan (*Terminalia tomentosa*).
17. Hesel (*Anogeissus latifolia*),
18. Tilai (*Wendlandia tinctoria*).
19. Horo (*Wendlandia exserta*).
20. Murup (palas) (*Butea frondosa*).
21. Sagwan (Teak) (*Tectona grandis*).
22. Sissu (*Dalbergia Sissoo*).
23. Tal (*Borussus flabelliformis*).

(ii) Subject to the rules made under section 31 of the Act the following acts are prohibited, namely:—

- (1) The quarrying of stone.
- (2) The burning of lime and charcoal.
- (3) The collection or subjection to any manufacturing process or any removal of forest-produce.
- (4) The breaking up, or clearing for cultivation, for building, for herding cattle, or for any other purpose in any land.

* “(2).—SANTAL PARGANAS PROTECTED FOREST RULES.

Under Sections 31 and 41.

1. In these rules—

- (1) “bazaars” means such areas containing shops and homesteads of non-agriculturists as may from time to time be locally notified as such by the Deputy Commissioner;
- (2) “minor forest-produce” means forest-produce other than trees and timber (including fuel) in respect of the purchase of which a royalty is payable under these rules; and
- (3) “Jhuming” means the system of cultivation which consists in felling the forest on a selected area, burning the cut material, and sowing one or two crops in the ashes and then, after reaping, leaving the area to lie fallow for a number of years before re-cultivation.

2. No person shall cut, fell, convert, collect or remove trees or timber or collect, introduce, remove, sell, purchase or barter forest-produce, or pasture cattle, or clear or break up land for cultivation, or shall cause any of such acts to be done, except as provided by these rules.

3. All occupiers of Government land outside the limits of bazars who are resident within the Damin-i-Koh Government Estate, except such as pay rent for their homestead lands, may fell, convert and remove to their homes, but only for their own private use and not for sale, gift or barter—

(a) free of charge, all trees and timber of an unreserved species and all other forest-produce whatsoever—

(i) in Santal villages and such Paharia villages as have been settled—within the limits of the village in which they reside; and

(ii) in other Paharia villages—within the areas from which by custom they are entitled to be supplied;

(b) trees and timber of a reserved species—on payment of a royalty equivalent to half the royalty prescribed for the time being in respect of the purchase of such trees and timber, and with the written permission of the officer in charge of the Santal Parganas Forest Division (hereinafter called "the Forest officer")—within the areas specified in clause (a).

4. Village artizans, such as potters, blacksmiths, and the like, following, outside the limits of bazars, some trade for which an unusually large supply of fuel is necessary, may be granted an annual license by the Forest Officer to remove fuel of any of the unreserved species from any Protected Forest within the Estate on payment of a fee of Re. 1 (one rupee), or such other fee as may be fixed from time to time by the Local Government.

5. (1) Occupiers of Government land outside the limits of bazars except those who pay rent for their homestead lands may, within the limits of the village within which they occupy land, clear and break up land for the cultivation of *lac* and *tussar*, and may collect and remove for sale or barter all forest-produce except trees, timber, and minerals.

(2) Residents in bazars and persons not resident in the Damin-i-Koh may be granted a permit by the Deputy Commissioner to clear and break up land for the cultivation of *lac* and *tussar* and to cut, collect, and remove for the purpose of sale or barter any specified forest-produce other than trees, timber, and minerals. For such permit an annual fee not exceeding Rs. 10 (ten rupees), or such other fee as may be fixed from time to time by the Local Government, may be charged.

6. Paharia *raiya*ts may, within the villages in which they reside, cut, fell, convert, collect, or remove for sale or barter, trees and timber of an unreserved species, provided that green trees which are over 2 feet in girth at a height of 4 feet from the ground shall not be cut without the permission of the Forest officer.

7. Except as provided for in Rule 11, all forest-produce which under these rules is allowed to be sold or bartered, shall be sold or bartered at an authorized *hat* or at a toll station established by the Forest officer with the permission of the Deputy Commissioner in connection with such *hat*, and it shall not be removed by the purchaser from such *hat* or toll station except on payment of such royalty as may be prescribed for the time being.

8. (1) Persons desirous of purchasing minor forest-produce, for purposes of trade, from forest *hats* or toll stations, and from persons authorized to sell or barter it under these rules, shall be obliged to take out a license from the Forest officer in the form annexed to these rules.

(2) There shall be a separate license for each class of forest-produce and for each *hat*, or toll station, in which the licensee desires to trade. Each license shall be current for one year, unless it be revoked before the expiration of that period, and a fee of Re. 1 (one rupee), or such other sum as may be fixed from time to time by the Local Government, shall be charged on its issue.

(3) The payment of royalty on *sabai* grass shall be regulated by special rules prescribed by the Local Government.

9. The number and location of the authorized *hats*, or toll stations established in connection therewith, as well as the scale of royalties which shall be there levied in respect of the purchase of forest-produce, shall be fixed from time to time by the Deputy Commissioner in consultation with the Conservator of Forests under such rules as the Local Government may prescribe. Such consultation shall be necessary only as regards that portion of the estate in which the forests are under the management of the Forest Department.

10. *Jhuming*, locally known as *Kurao*.—(1) Paharia raiyats of Government may *jhum*—

(a) in unsettled areas,

(b) in settled villages in the areas which have been set apart for the purpose by the Settlement officer.

(2) Trees over 2 feet in girth measured at 4 feet from the ground shall not be cut in the process of *jhuming* without the written permission of the Forest officer.

(3) Timber cut in the process of *jhuming* shall be at the disposal of the persons cutting it; but if it is sold it must be sold in accordance with the provisions of Rule 7 or to a person licensed under Rule 11.

11. Within that portion of the estate in which the forests are managed by the Deputy Commissioner an annual permit, in such form as may be prescribed by the Local Government, may be granted to occupiers of Government land outside the limits of bazars to purchase for their own use, at places other than authorized *kats* or toll stations, timber cut by the Paharias in the process of *jhuming*. For such permit a fee not exceeding 8 annas shall be charged.

12. No person shall do any of the following acts, namely :—

- (1) cut the stem of any standing tree at a height exceeding 1 foot from the ground ;
- (2) cut up into fuel or fencing material or otherwise damage any timber of a reserved species which could be more profitably used ;
- (3) injure any tree of the reserved species ;
- (4) manufacture charcoal from trees of a reserved species, except in localities previously approved by the Forest Officer ; or,
- (5) hunt, shoot, or fish in contravention of the rules on these subjects in force for the time being.

13. *Bond fide* cultivators of Government land may graze, free of charge, the cattle kept by them for their own household or agricultural requirements on any forest land within the limits of the village in which they reside. The grazing of all other cattle is prohibited.

Provided that where, by custom, *bond fide* cultivators of Government land at present graze their cattle within the limits of an adjacent village to that in which they reside they may continue to do so.

Provided, also, that cattle which are the property of residents other than cultivators of the Government estate and which, in the opinion of the Deputy Commissioner, are necessary for local requirements, may be allowed to graze in the Protected Forests within such limits as may be prescribed by the Forest officer, on payment of such grazing fees as may be fixed from time to time by the Local Government.

(2) Goats and sheep shall not be pastured except in areas set apart for that purpose : Provided that if in any locality there is insufficient waste land to make it possible to set apart a particular area for this purpose the Deputy Commissioner may, after consultation with the Forest officer, permit such pasturing generally in such locality except in such parts thereof it any, as it may be considered essential to maintain clothed with tree-growth

14. No person shall introduce into the Damin-i-Koh Government Estate any forest-produce without a pass granted by the Forest-officer. All forest produce introduced into the Estate under this rule shall be sold at an authorized *hat*, and the purchaser thereof shall pay such royalty as may be prescribed for the time being.

15. The Deputy Commissioner may, in consultation with the Forest officer, grant written permission to break up or clear for cultivation, land which is Protected Forest and which bears trees of a reserved species. Such consultation shall refer only to that portion of the estate in which the forests are under the management of the Forest Department.

16. No royalty shall be levied on bamboos except those grown in the area known as the "old reserve," provided that no royalty shall be levied on bamboos of the cultivated species grown within that area by raiyats on their own holdings.

17. At every authorized forest *hat* or toll station a legible vernacular notice shall be exhibited showing the rate of royalty leviable on each article liable to royalty.

18. Nothing in these rules shall be deemed to prohibit any act which occupiers of land in any village are allowed to perform by the record-of-rights prepared for that village by a Settlement Officer.

License for purchase of minor forest produce.

[See rule 8 (1) and (2)].

Fec—Re. 1.

of _____, son
, in the Santal Parganas District, is hereby

licensed to enter the _____ ^{*hat*}
_____ toll station in the Damin-i-Koh
for the purpose of purchasing minor forest produce, namely

_____ on
the express condition that he will not remove any such minor forest-produce from such *hat* or toll station without first paying such royalty as may be due in return for this payment he will receive a pass signed by the *hat* lessee or other person duly authorized in this behalf. This pass must accompany the produce when it is removed from the _____ ^{*hat*}
_____ toll station; otherwise any Forest Officer may seize and detain the produce until the undersigned is satisfied that the royalty due thereon has been paid.

2. Any breach of the above conditions will result in this license being cancelled. ..

3. This permit will expire on the 30th June 19 ..

DATED DUMKA,

The 19 }

Divisional Forest Officer.

" CERTIFIED that I have read over the above conditions to the applicant and that he has understood them.

DATED

The 19 }

*Range Officer,
Range."*

SECTION VII.

SCHEDULES OF RATES.

(a) ANGUL DIVISION.

(1). Royalty on Stone.

Bengal Government letter
No. 1032T—R., dated 13th
June 1902.

Stone, etc., may be removed from the
Angul Protected Forests at the following rates
of royalty:—

Laterite	...	...	4 annas per 100 c. ft.
Gravel	...	...	1 anna " "
Ghooting	...	...	2 annas " "
Rubble	...	...	4 annas " "
Slab stones (undressed)	...	...	1 rupee 8 annas. "

Residents of the State may quarry stone from villages other than their own free of royalty subject to the provision of Rule 2 of the Angul Protected Forest Rules.

(2). Royalty on Elephants.

The Forest Department is authorized to levy a fixed royalty

of Rs. 25 per head for elephants, excluding

Bengal Government letter No.
3562, dated 29th November 1898.

calves captured by the Khedda Department
in the reserved forests in the district of An-

gul, or outside the same after being driven therefrom by the Khedda parties organized under the Deputy Commissioner of those districts.

No claim for payment is to be made for fuel, etc., used in the Government Forests by the Khedda Department, when such fuel, etc., is extracted by the direct agency of the Khedda Department under its own supervision for its own use, and not for disposal to the public or other department.

(b) PALAMAU DIVISION.

Schedule of rates for sale of forest-produce from the Protected Forests of the Kodarma and Khurehulla ranges in the district of Hazaribagh to bona fide Government raiyats for their own domestic consumption.

I.—TIMBER.

Species.	Poles, green.				Remarks.
	Gt.th.				
	Under 12"	12" to 18"	18" to 22"	22" to 28"	
Reserved	Each. Rs. a. p.	Each. Rs. a. p.	Each. Rs. a. p.	Each. Rs. a. p.	
...	0 0 0	0 1 0	0 3 0	0 6 0	<p>* (i) Rates for other purchasers are the same as for the Reserved Forest for reserved and unreserved species and other produce except firewood and brushwood which will be sold at rates given below:--</p> <p>** (ii) Reserved poles of 20' girth and over (excepting those of Al-hua, Kalhaua, and Hara) and dry trees and timber of whatever kind may be removed free by Government raiyats in accordance with the Chota Nagpur Protected Forest Rules.</p>

II.—FIREWOOD AND BRUSHWOOD.

	Rs. a. p.
Sakar load	0 0 0
Cart "	0 1 0
Monthly permit (one load daily)	0 2 0

III.—OTHER MINOR PRODUCE.

Rearing silk cocoons per head per annum	0 4 0
Cultivation of lac on Paras (Dates from date) trees, per tree per annum	0 0 0

(c) SINGBHKUM DIVISION.

DEFINITIONS.

For the purpose of this schedule the following definitions hold good :—

I. Timber, i.e., trees or pieces of wood is divided into—

(a) Logs are pieces of 30" or over in girth at 3' from the thick end ;

- (b) Poles are pieces of under 3' in girth at 3' from the thick end ;
 (c) Branchwood pieces of wood less than 3' in girth at the thick end and not more than 10' long ;—

II. Firewood is all wood which does not come under the definition of timber, and includes charcoal.

III. For the purpose of fixing prices timber, including logs and poles, is divided into two classes, viz.—

Class I—Containing Sal, Piasal, Sissu, Tun.

Class II—All other species.

IV. The sapwood may be removed from all dry timber (poles and logs) and green poles prior to measurement; but the bark only may be removed from green logs.

V. Scantlings will only be cut in the forest with the special permission of the Divisional Forest Officer, who will fix the price to be charged in each case.

RATES.

(1) Rates when a monopoly fee is paid :—

Description of timber.	Central Girth.				
	36" to 47".	48" to 59".	60" to 71".	72" to 83".	84' and over.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Green logs ...	0 3 0	0 4 0	0 5 0	0 6 0	0 7 0
Dead logs ...	0 2 0	0 3 0	0 4 0	0 5 0	0 6 0*

Description of timber.	Girth at 36" from the thick end.			
	Under 18".	18" to 23"	24" to 29"	30" to 35"
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Green and dead poles ...	0 1 6	0 4 6	0 9 0	0 14 0†

* Per cubic foot.

† Per piece.

(2) Rates when no monopoly fee is paid :—

(a) For lead beyond 10 miles of Railway Station.

Description of timber.	Central Girth.				
	36" to 47".	48" to 59".	60" to 71".	72" to 83".	84" and over.
	Rs. a p.	Rs. a p.	Rs. a p.	Rs. a p.	Rs. a p.
Green logs, class I ..	0 4 0	0 5 0	0 6 0	0 7 0	0 8 0*
Dead " " I .	0 3 0	0 4 0	0 5 0	0 6 0	0 7 0*
Green and dead logs, class II ...	0 0 6	0 1 0	0 2 0	0 2 0	0 2 0†

Description of timber.	Girth at 36" from the thick end.				
	0" to 13".	Over 13" to 17'.	18" to 23'.	24" to 29'.	30" to 35'.
	Rs. a p.	Rs. a p.	Rs. a p.	Rs. a p.	Rs. a p.
Green and dead poles, class I ...	0 1 0	0 1 6	0 4 0	0 8 0	0 11 0†
Do. Do. II	0 0 6	0 0 9	0 1 6	0 3 0	0 6 0†

(b) For lead within 10 miles of Railway Station.

Description of timber.	Central Girth.				
	36" to 47".	48" to 59".	60" to 71".	72" to 83".	84" and over.
	Rs. a p.	Rs. a p.	Rs. a p.	Rs. a p.	Rs. a p.
Green logs class I	0 4 6	0 6 0	0 7 6	0 9 0	0 12 0*
Dead " " I	0 3 0	0 4 6	0 5 6	0 7 0	0 8 0*
Green and dead logs " II	0 0 6	0 1 0	0 2 0	0 2 0	0 2 0*

*Per cubic foot.

†Per piece.

Description of timber.	Girth at 36" from the thick end.				
	0' to 12".	13" to 17".	18" to 23'.	24" to 29'.	30' to 35' and over.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Green and dead poles, class I ...	0 1 0	0 2 0	0 6 0	0 12 0	1 2 0†
" " " II ...	0 0 6	0 0 9	0 1 6	0 3 0	0 6 0†

†Per piece.

Note—(1) Slabs will be sold at a uniform rate of annas 2 per piece provided the purchaser takes 1,000 slabs or more and at annas 3 per piece for quantities under 1,000. The slabs should be collected at convenient sites to be counted.

(2) Sleepers will be sold at annas 6 per cubic foot and upwards and branchwood at annas 2 per piece.

(3) Panjan logs and poles will be sold at the rate of anna 1 more than that of Sal.

FIREWOOD.

Price of permit for one load daily for—

	One day.		One month.		Three months.		Six months.		One year.		Remarks.
	Firewood.	Brushwood.	Firewood.	Brushwood.	Firewood.	Brushwood.	Firewood.	Brushwood.	Firewood.	Brushwood.	
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Head load ...	0 0 3	0 0 3	0 0 6	0 0 6	1 0 0	1 0 0	1 8 0	1 8 0	2 0 0	2 0 0	One day permit for head loads and bulky loads of firewood may be issued in the form of tickets.
Bulky ...	0 0 6	0 0 2	0 12 0	0 12 0	1 11 0	1 11 0	2 12 0	...	3 12 0	...	
Sugar ...	0 2 0	0 1 0	2 12 0	1 6 0	7 0 0	3 12 0	11 1 0	6 10 0	15 0 0	...	Bulky loads (red) at 5 ples each.
Cart ...	0 4 0	0 2 0	4 8 0	...	13 0 0	...	19 0 0	...	25 0 0	...	Head loads (blue) at 3 ples each.

N. B.—Firewood in large quantities can be bought in approved localities at the rate of Rs 5 per 1,000 cubic feet of wood stacked and Rs. 5 per wagon-load at Goulern Station and Rs. 4 at Ponda Railway Station.

Charcoal can be bought in approved localities at the rate of 6 ples per head load and 1 anna per bulky load.

* The rate for annual permit for Pachwa shop-keepers for firewood on head load daily is Re. 1.

Minor Forest Produce.

Serial number.	Description.	Per hundred or per maund.	Per single load.				Per month.	Permit for one load daily.			
			Head.	Banghy.	Sagar.	Cart.		Head.	Banghy.	Sagar.	Cart.
1	2	3	4	5	6	7	8	9	10	11	
		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
1	Bamboos ^a	0 8 0	..	...	...	..	...	...	...	..	..
2	Thatch and fodder grass		0 0 3	0 0 6	0 1 0	0 2 0	0 5 6	0 5 0	1 0 0	1 8 0	
3	Saba grass	..	0 2 0	0 4 0	1 0 0	1 10 0	.	..	..	...	...
		Per maund.									
4	Myrabolams	0 2 0	0 1 0	0 2 0	..	.	1 4 0	3 8 0	...	...	...
5	Other fruits	...	0 0 0	0 1 0	.	.	0 13 0	1 8 0	...	...	...
6	Leaves	...	0 0 3	0 0 6	0 0 0	0 2 0	0 5 0	0 13 0	...	.	...
7	Fibres (basket)	0 4 0	0 1 0	0 2 0	0 3 0	0 10 0	1 0 8	2 13 0	4 4 0	..	...
8	Dark (for dyes)	0 4 0	0 1 0	0 2 0	0 0 0	1 0 0	1 0 0	2 13 0	1 ..	.	...
9	Limestone	...	0 0 3	0 0 0	0 1 0	0 4 0	0 7 0	0 15 0	0 3 0	0 7 8 0	...
10	State	...	0 0 3	0 0 6	0 1 0	0 1 0	0 7 0	0 15 0	0 2 0	0 7 8 0	...

Serial number.	Description.	Per acer.	
11	Lac	0 2 0	Annas 6 per tree.†
12	Silk cocoons ..	0 8 0	Per hundred.
13	Iron ore	0 2 0	Per ton for prospecting licenses.
		0 0 0	.. .. mining lease.
14	Earth for brick-making ..	0 4 0	For 1,000 bricks.
15	Limestone ..	0 1 1	Per ton for ballast purpose.
			<div> For a quarry within 5 miles of a public Railway Station. </div> <div> For a quarry more than 5 miles but not more than 15 miles from a public Railway Station. </div> <div> For a quarry more than 15 miles from a public Railway Station. </div>
			<div>Rs. a. p.</div> <div>Rs. a. p.</div> <div>Rs. a. p.</div>
16	Stone	0 6 0	per ton
17	Lime	0 0 0	..
			<div>0 4 4</div> <div>0 2 2</div> <div>0 0 0</div> <div>0 6 0</div> <div>0 4 0</div>

N. N.—Permits will not be granted for any description of forest produce of which the collection and removal may have been leased for the year or other period of time or which it is intended to dispose of in this way.

* For quantities of 10,000 bamboos or over four annas per hundred will be charged and at Rs. 12 per wagon load.

† The rate for lac growing on Palas and other inferior trees is one anna per tree.

(2) PROTECTED FORESTS OF THE KOLHAN FOREST DIVISION IN THE DISTRICTS OF SINGHBHUM AND MANBHUM.

These are the same as those for the Singhbhum Forest Division with the following additions :—

Serial number.	Description.	Per maund.
		Rs. a. p.
18	Horns (deer)	0 6 0
19	... „ (others)	0 2 0
20	... Flowers... { (mohua	0 0 3 Per head load
	{ and others)	0 0 0 „ banghy „

Schedule of Reduced Rates for the non-privileged Government Raiyats of the Kolhan, Singhbhum District.

Description of Timber.	Girth at 3 feet from the thick end.	Reserved species.	Miscellaneous species.
	Inches.	I. Class.	II. Class.
		Rs. a. p.	
Green and dry poles ...	Less than 18	0 0 6	} Half the rates for Class I.
	18—23	0 1 6	
	24—29	0 3 0	
	30—35	0 6 0	
	Central girth p. c.ft.		
Green and dry logs ...	47 and under	0 1 0	} Half the rates for Class I.
	48—59	0 2 0	
	60—71	0 3 0	
	72—83	0 4 0	
	84 and over	0 5 0	

Description of produce.	Head load.	Banghy load.	Sagar load.	Cart load.	Monthly.		Yearly.	
					Head load.	Banghy load.	Head load.	Banghy load.
	A. p.	A. p.	A. p.	A. p.	A. p.	A. p.	Rs. a. p.	Rs. a. p.
Firewood ...	0 3	0 6	1 0	2 0	2 0	4 0	1 0 0	2 0 0
Thatch grass ...	0 3	0 6	...	...	...	...	...	...
Leaves ...	0 3	0 3	...	...	...	...	...	...

(c) PURI FOREST DIVISION.

1.—*Timber.*

Timber is divided into three classes, according to species :—

Class I.—Sal, Piasal, Sissu, Bandhan, Kongra.

Class II.—Asan, Kaman, Sonari, Gambhari, Bheru.

Class III.—All other kinds.

Timber under 3 feet in middle girth are reckoned as poles and over that as logs :—

Description.	Middle girth pole.			Logs of 33" and over in girth.	Remarks.
	Under 18"	Under 30"	Under 36"		
1	2	3	4	5	6
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Class I per piece ..	0 4 0	1 0 0	2 0 0	0 4 0	Timber reckoned as logs are sold at rates per cubic foot on the total outturn.
" II " ..	0 2 0	0 8 0	1 0 0	0 2 0	
" III " ..	0 1 0	0 4 0	0 8 0	0 1 0	

Dry timber may be sold at half the above rates.

II.—*Firewood.*

Description.	Quantity.				Remarks.
	Per head-load.	Per hand-gy load.	Per cart-load.	100 cubic feet stacked.	
1	2	3	4	5	6
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
(1) When felled and collected by purchaser.	0 0 6	0 1 0	0 6 0	1 0 0	
(2) When felled departmentally but collected by purchaser.		"	0 8 0	1 8 0	

III.—Bamboos (of all species).

Per piece Re 0-0-1 (one pie).

Wholesale (not less than one hundred) at annas 8 per hundred.

Split bamboos or battas and dry cut bamboo tops or branches are sold at anna 1 per hundred and annas 4 per cart-load, respectively.

IV.—Minor Forest Produce.

Description.	Quantity or load.				
	Head-load.	Cart-load.	Mauud.	Per cent ad valorem	Per cubic foot.
1	2	3	4	5	6
	Rs. as. p.	Rs. as. p.	Rs. as. p.	Rs. as. p.	Rs. as. p.
1. Joon grass	0 6 0	...	...	..
2 All other kinds of grass	..	0 4 0	...	...	..
3 Bark for tanning	3 0 0	...	...	..
4 Kamala powder	3 0 0	...	...
5. Kuchila seeds, Harra, Bahra, Mahul and Karanj fruits.	0 8 0	...	...
6 Fruit or seed not otherwise stated	10 0 0	...
7 Stone, i.e., Litorite, Sand-stone, Granite, Gneiss, etc.	0 8 0
8 Ditto Ditto to the Public Works Department, Puri District Board and Khurda Estate Improvement Fund Works	0 4 0
9 Gravel	0 2 0
10 Lime chooling, shells, white and red clay.	1 0 0
11 Thorns for fencing	0 4 0	...	...	..
12 Creepers and climbers	0 0 3	0 4 0	..	...	..
13 Date leaves	0 2 0	...	...	...
1. Case at rupee one ...	Per Kahrn	(1,280 in number).			...

(5) SANTAL PARGANAS DIVISION.

CLASS I.—TIMBER.

(1) Sal (*Shorea robusta*); (2) Salsal (*Dalbergia latifolia*); (3) Kusum or Baru (*Schleichera trijuga*); (4) Kohwa (*Terminalia Arjuna*); (5) Gamha (*Gmelina arberia*); (6) Murga (*Pterocarpus Marsupium*); (7) Nim (*Melia indica*); (8) Mango, am, ul (*Mangifera indica*); (9) Tamarind, tetul or jojo (*Tamarindus indica*); (10) Jam or kod (*Eugenia jambolana*); (11) Ebony, Kendh or tirel (*Diospyros melaozylon*); (12) Mahna or mohul (*Bassia latifolia*); (13) Hog-plum or amra (*Spondias mangifera*); (14) Rola (*Terminalia chebula*); (15) Jack or Kanthul (*Artocarpus integrifolia*); (16) Assau (*Terminalia tomentosa*); (17) Teak or sagwan (*Tectona grandis*); (18) Sissoo (*Dalbergia sissoo*); (19) Tal (*Borassus flabelliformis*); (20) Morap or Palas (*Butea frondosa*); (21) Horo (*Wendlandia cerasia*); (22) Tilai (*Wendlandia tinctoria*); (23) Hessel (*Anogeissus latifolia*).

CLASS II.—ALL OTHERS.

(a) *Rates in Depôts.*

Timber.	Poles.									Tree per cubic foot.	Remarks.		
	Under		12'	Under		18'	Under		24'			Under	
	0"	12"		24"	30"		36"						
1	2	3	4	5	6	7	8						
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.						
Class I ...	0 2 0	0 4 0	0 8 0	1 4 0	2 4 0	{ 0 0 0	Under 48"						
.. II ...	0 1 0	0 2 0	0 4 0	0 10 0	1 2 0	{ 0 10 0	Over 48"						
						{ 0 4 0	Under 49"						
						{ 0 6 0	Over 49"						
Fuel	annas 4 per cart-load											

BAMBOOS.

Big ...	Rs. a. p.	8	8	0	per 100
Big ...	1	12	0	"	50
Big ...	0	1	0	each for any quantity less than 50.	
Big ...	2	8	0	for Damun mohulias per 100.	
Small ...	Rs. a. p.	2	8	0	per 100
Small ...	1	4	0	"	50
Small ...	0	0	6	each for any quantity less than 50.	
Small ...	1	12	0	per 100 for Damun mohulias.	

(b) Rates in the Forest.

Timber.	Fees.								Trees per cubic feet.	Remarks.
	Under.		Under.		Under.		Under.			
	0"	12"	12"	18"	18"	24"	24"	30"			30"	36"
1	2	3	4	5	6	7	8			
Class I ...	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Minimum. Half rates will be charged to <i>band fide</i> cultivators as provided for by rules under section 31.		
Class II ...	0 1 6	0 3 0	0 6 0	0 12 0	1 8 0	0 8 0				
	0 0 9	0 1 6	0 3 0	0 6 0	0 12 0	0 2 0				

1. Timber of Class I over 3' in girth when sold to *band fide* cultivators of the Damun for their own use will be charged at the rate of annas 2 per cubic foot.

2. Refuse timber, such as hollow stems, tops, etc., whether at depôts or in the forest, from selection or other areas will be charged for at the rate of annas 2, annas 4, or annas 6 per cubic foot at the discretion of the Divisional Forest Officer.

CLASS II.—OTHER FOREST-PRODUCT.

Forest produce.	Rates for single loads.				30 loads on monthly permit of Akata sticks.		Annual permit for Kassar and Kassar.
	Per 100 mds. or two cords.	Per cart or sagar.	Per banghy.	Per head load.	Per banghy.	Per head load.	
1	2	3	4	5	6	7	8
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Firewood	3 0 0	0 4 0	0 0 6	0 0 3	0 10 0	0 5 0	1 0 0
Charcoal	18 0 0	...	0 3 0	0 1 6	3 0 0	1 8 0	...
Brushwood	...	0 3 0	0 0 6	0 0 3	...	...	...
Thick-grass	...	0 4 0	0 0 6	0 0 3	...	...	...

Bamboos	...	...	Rs. 1 per 100. If taken less than 100 at a time, pics 3 each.
Silk cocoons	...	"	1 per annum (estimated quantity 4 lakhs) license to cultivate.
Lac	...	...	Pics 6 per tree.
Limestone or ghutting	...	As.	4 per 100 cubic feet.
Stones	...	"	2 per 100 cubic feet.
Myrsinolams	...	"	6 per cooly-load.
Mohun flowers	...	"	4 per cooly-load.
Sabul grass	...	Rs.	1 per maund in depôt.
Ditto	...	As.	2 for every 5 acres and part thereof in forests.

All other minor produces at As. 4 per head load and Rs. 1 per annual permit.

1. Charcoal permits will be issued for missionaries and others living in the Damin.

2. Leases, etc., for minor products will be issued through the head Forest Office at Dumka.

3. Timber of class I over 3' in girth when sold to *bona fide* cultivators of the Damin for their own use will be charged at the rate of annas 2 per cubic foot.

4. Refuse timber, such as hollow stems, tops, etc., whether at depôts or in the forest, from selection or other areas will be charged for at the rate of annas 2, annas 4, or annas 6 per cubic foot at the discretion of the Divisional Forest Officer.

SECTION VIII.

* Rules for the Registration of Property Marks, and Transit of Timber in the Singhbhum District under Section 41.

(a) PROPERTY MARKS.

I. Any person who desires to register a property mark to be placed on timber which he intends to transport in or through the Kolhan or Porahat Estate, Singhbhum District, may apply in writing to the Forest-officer in charge of the Singhbhum Forest Division, submitting with his application—

- (i) a copy and description of the mark which he wishes to be registered;
- (ii) a statement of the period for which he wishes the mark to be registered; and
- (iii) the amount of the fee due under these rules for registration.

II. Every registration of a property mark by the Forest-officer shall hold good for one or for three years from the 1st July preceding the date of registration, whichever the applicant may desire, and the fee payable by him shall be Rs. 2 for each registration for one year and Rs. 4 for each registration for three years. Double fees shall be charged for any additional property mark in excess of the first one registered in the name of an applicant.

III. The Forest-officer may refuse to register any mark—

- (a) which he considers resembles too closely any Government property mark or any mark he has previously registered in favour of another person ; or,
- (b) if he is of opinion that the applicant does not possess and is unlikely to obtain possession of timber requiring to be marked with a property mark ; or,
- (c) if, on account of a previous conviction of the applicant of any serious forest offence, or for any other reason which seems to him sufficient, he is of opinion that the applicant cannot be trusted with a registered property mark ; or,
- (d) if he has already registered one or more property marks in the applicant's favour, and is of opinion that the latter has not shown sufficient cause for the registration of an additional mark.

IV. An appeal shall lie from any order by the Forest officer refusing to register a mark to the Conservator of Forests in Bihar and Orissa ; and, if the applicant owns timber outside the boundaries of the Kolhan and Porahat Estates and desires to transport it through either or both of these estates, from any such order passed on appeal by the Conservator of Forests in Bihar and Orissa to the Commissioner of the Chota Nagpur Division.

FORM OF CERTIFICATE OF REGISTRATION OF A PROPERTY MARK IN THE SINGHBHUM DISTRICT.

*Certificate of registration of a property mark for use in
Singhbhum District.*

Person in whose favour the mark is registered—

Date of registration—

Date up to which registration will hold good—

Registration fees received— (Counterfoil.)

Copy. of mark—

Signature of the Forest-Officer—

(b) RULES FOR THE TRANSIT OF TIMBER AND FIREWOOD IN AND THROUGH
THE SINGHBHUM DISTRICT.

I. In these rules—

“Timber” includes all pieces of wood of the undermentioned kinds,
vis.—

- Sal* (*Shorea robusta*) ;
- Asan* (*Terminalia tomentosa*) ;
- Paisar* or *Ilia* (*Pterocarpus marsupium*) ;
- Karam* (*Adina cordifolia*) ;
- Ruta* (*Ougeinia dalebergioides*) ,

which are sawn or squared with the axe, or which are over 6 in length
in girth.

“The Forest Officer” means the Forest Officer in charge of the
Singhbhum Forest Division.

II. (1) No timber shall be imported into the tracts respectively called
the Kolhan Estate and the Porahat Estate, situated in Singhbhum District
from any place outside the said tracts without a written permit previ-
ously obtained from the Forest Officer, showing —

- (a) the name or designation of the owner of the timber ;
- (b) the descriptions and amounts of timber which may be imported ;
- (c) the property mark or marks which each piece of timber must bear ;
- (d) the road or roads by which the timber must be transported and its
destination or destinations ; and
- (e) the period during which the permit holds good.

III. No piece of timber shall be imported into the said tracts, or re-
moved from any Reserved forest in the said tracts or transported from any
other part of the said tracts to any railway station on the Bengal Nagpur line
or to the towns of Chhibassa or Chakradharpur unless it bears a property
mark which has been registered by the Forest-Officer.

IV. Nothing in Rules 2 and 3 shall apply to timber imported into the
tracts or places therein mentioned by *bond fide* raiyats of the same for their
own use, but not for sale or barter.

V. Every person transporting timber cut in any forest or other land in the
Kolhan Estate, or any Reserved or Protected forest in the Porahat Estate to

any railway station or town referred to in Rule III shall previously obtain, and shall present for examination on demand by any Forest officer or Police officer, a permit signed by the Forest officer or any other Forest officer authorised by the Forest officer in this behalf showing—

- (a) the name of the owner of the timber ;
- (b) the number and dimensions of the pieces of the timber of which the transport is permitted ;
- (c) the mark or marks to be borne by each piece of timber ;
- (d) the railway station or town to which the timber must be transported ; and
- (e) the date up to which transport is permitted.

VI. Every person transporting timber under cover of a permit granted under Rule 5 shall, on arrival at the destination mentioned in his permit, present the timber for examination at the forest checking station established by the Forest officer, and shall present the permit authorising its transport at the said checking station on or before the date of expiry of the permit.

VII. No person shall transport firewood, charcoal or bamboos cut or manufactured in any part of the Kolhan estate or in any Reserved or Protected Forest in the Porahat estate to the town of Chaibassa or Chakradharpur without a permit issued by a Forest officer authorised by the Forest officer to issue such permits showing ;—

- (a) the kind and amount of firewood, charcoal or bamboos he is authorised to transport : and,
- (b) the date up to which the permit holds good, and before entering either of the said towns such person shall proceed to one or other of the forest checking stations established by the Forest officer and present the firewood, charcoal or bamboos and the permit to the Officer in charge of such checking station for examination.

VIII. Any person who, in contravention of these rules or of the conditions of any permit issued thereunder,—

- (a) imports or transports timber ; or,
- (b) transports firewood, charcoal or bamboos ; or
- (c) fails or refuses to present his permit or timber in the manner required by these rules,

shall be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to five hundred rupees, or with both.

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PART III.

Rules for the Conduct of Forest Business and Accounts.

PART III.

CHAPTER I.

Procedure and Accounts.

SECTION I.—CONTROL OF TIMBER AND OTHER STOCK, OF STORES, TOOLS AND PLANT AND OF LIVE-STOCK.

1. (i) The produce of all fellings must appear either in Form No. 1 or No. 4 or No. 6, or in the form which may be prescribed under Rule 13. Fellings.
(Forms Nos.
1, 2, 4, and 6.)

(ii) The "gross yield" of a forest is the *total* volume (in cubic feet, solid) or quantity of *all* produce felled or cut, whether removed and utilized or not. The "outturn" or net yield comprises such portion of the gross yield as has been or will be utilized.

(iii) The gross yield of all fellings by Government agency must appear in Forms Nos. 1 and 2. Wastage or other unutilizable material will be written off in Forms Nos. 1 and 2. The outturn of illicit fellings shown in Form 12 should be shown in Form 1 when the produce lapses to Government. The outturn of all other fellings must appear in Form No. 4 or No. 6 or in the form which may be prescribed under Rule 13.

2. Under the system of Government working, two classes of depôts Depôts. will be established :—

(i) Forest Depôts.

(ii) Sale Depôts.

It will rest with the Conservator to decide what localities shall be forest depôts * and which sale depôts.

3. All timber and forest-produce on reaching a forest depôt and on its despatch, or disposal will be shown in Form 1.

The Conservator will issue instructions whether all columns in these forms shall be filled up or whether any may be left blank.

4. In each sale depôt will be kept a Register of Receipts and Disposals (Form 1) in which will be entered all stock as it arrives or is sold or otherwise disposed of. Separate registers will be kept for—

(a) Timber, including drift and waif wood;

(b) Bamboos, fuel, and other forest-produce.

* In some cases, special plots will be set aside as "forest depôts", in others, the areas where the fellings have been made will be considered as "forest depôts".

Timber received in Sale Depôts to be measured and marked.

5. (i) All logs and scantlings on reaching a sale depôt will be measured and marked in such manner as may be ordered by the Conservator. The number, or measurement, or both, as the case may be, of the logs and scantlings must be entered daily in the Register of Receipts as they are taken charge of.

Sale-mark.

(ii) Logs and scantlings, when sold, will be marked with the sale mark.

Monthly Depôt Returns. (Forms Nos. 2 and 3)

6. (i) The following returns will be submitted monthly from each forest and sale depôt to the Divisional Officer:—

Form No. 2.—Receipts and issues of timber and other produce.*

Form No. 3.—Sales of timber and other produce, including drift and waif wood.

(ii) A summary will be prepared from the returns submitted in Form No. 2 from each depôt in the division. Each description of produce will be grouped together, and the numbers and quantities will be totalled separately. The receipts and issues of forest depôts will be shown separately from those of sale depôts.

(iii) All transactions shown in Form No. 2 necessitating payments should appear in Form No. 60-P., Civil Account Code, of the same month and *vice versa*. Should the transactions be shown in Forms Nos. 2 and 60-P., Civil Account Code, for different months, a note should be made in the "Remarks" column of the form in which the transaction has been entered showing the months in which the entry appears in the other form. When the entries made in both forms do not tally, the discrepancy should be explained against the entry in Form No. 2.

7. (i) Form No. 3 will show the sales the proceeds of which are credited under Revenue head I, and of so much under head III as is obtained by the sale of drift and waif wood and confiscated forest produce collected by Government agency.

(ii) The entries in this form will consequently comprise all disposal, by sale of timber and other produce shown in Form No. 2, the totals for forest depôts and sale depôts being shown separately.

Form No. 3.—Sales of timber, etc., collected by Government Agency.

Permits. Form No. 9.

8. (i) For all timber or other forest produce sold otherwise than from depôt, a permit in Form No. 9 must be given before any of the aforesaid purchase can be removed by the purchaser. In the case of trees felled and logged by the purchaser in the forest, such permit will not be issued without the production of the Coupe officers' certificate in Form No. 10. This

* The specimen Form No. 2 attached to the Manual is filled up as a Divisional Return.

permit or license will be issued under such rules and in such forms as the Local Government may from time to time prescribe. Permit or license forms shall be kept in triplicate in bound books and bear printed serial numbers and the words 'original', 'duplicate', and 'triplicate'. Each permit or license issued shall be filled in by the officer issuing it in the original as well as in the counterfoils, and be provided with a serial annual number. All amounts of produce, as well as of money, shall be written in words as well as in figures.

(i) In the case of prepaid licenses the officer issuing the license may receive either cash or a treasury *chalan* as proof of payment. The original license shall be given to the licensee, the duplicate shall be attached to the monthly accounts and the triplicate be kept by the issuing officer.

(ii) In cases where, under the conditions of the permit, timber is marked with a Government sale-hammer on passing revenue stations, or where forest-produce is otherwise allowed to leave the limits of the forests, the officer marking such timber or passing such forest-produce shall collect the original licenses, and the purchase certificates which may have been granted on the strength of such licenses, and forward them to the Divisional Officer under whose signature or authority they were issued. They should be pasted into the book of licenses, each against its counterfoil.

(iv) In the case of unpaid licenses, or purchase certificates granted thereunder, the original shall be given to the licensee, and the duplicate be sent to the officer empowered to mark or pass the produce on payment of the revenue due when the payment has been effected, which may be done by cash or treasury *chalan*. The officer receiving it shall at once return the duplicate, entering thereon any purchase certificates which may have been granted on the strength of such license. These should be *pasted* into the license book of the issuing officer, each against its counterfoil. The original should be submitted as a revenue voucher to the accounts of the passing officer.

(v) The books of licenses should be periodically examined by the Divisional Officer, the returned licenses being checked with their counterfoils and with the entries of the amounts realized on their account in the cash book or in the original accounts of the officer who issued the same, and an explanation called for as regards any licenses missing or unduly delayed.

9. The stock at each sale depôt must be counted periodically at such intervals as the Conservator may direct, the depôt books being balanced at the time of counting. Taking stock
in Sale
Depôts.

Bill and
Receipt
Books.
(Forms
Nos. 7 and 8.)

10. (i) A bill book must be used for lists of timber and other produce sold from depôts. On each transaction taking place, the bill may be given to the purchaser, while a copy is forwarded to the Divisional Officer, and the counterfoil will form the depôt copy.

(ii) A receipt book must also be used for receipts of price paid to be given to purchasers.

Form No. 4 —
Return
showing sales
from forests
of produce
cut by pur-
chasers.

11. (i) All timber or other produce cut, collected and removed from the forests by consumers and purchasers will be entered in a monthly statement prepared in Form No. 4.

(ii) Form No. 4 will show the sales the proceeds of which are credited under Revenue head II, arranged and totalled in horizontal lines according to sub-heads, and so much of the revenue under head III as is obtained by the sale of drift and waif wood and confiscated forest-produce collected and removed by consumers or purchasers.

(iii) When leases are granted for certain fixed periods to collect produce and the revenue is payable in instalments, an estimate should, whenever practicable, be made of the quantity of produce removed, and the total estimated quantity should be shown in Form No. 4 once only, when the last instalment of revenue due is entered in that Form as having been received.

(ii) When the price of the produce entered in column 6 is only partially realized, or not realized at all, the number and date of the Conservator's sanction for deferring realization should be noted in the column provided for this purpose.

(v) Any entry in Form No. 4 in which the rate differs from the sanctioned schedule of rates should be initialled by the Divisional Forest Officer in the "Remarks" column to show that the rate has been adopted under his orders.

Outstanding
and irrecover-
able revenue.

12. (i) All items of revenue, including those shown in Forms Nos. 3 and 4, which are not fully realized during the month will be entered in detail in Form No. 5. (Outstandings on account of Revenue.) The return for March in each year will be accompanied by a brief explanation of the circumstances under which each item of revenue that has been outstanding, for twelve months remains unadjusted.

(ii) If any outstanding revenue becomes irrecoverable the sanction of the proper authority should be obtained to its being written off; and, when the sanction is received, the amount should be entered in Form No. 5

NOTE.—Commission paid by deduction from revenue should always be charged in the account, the gross amount of revenue being credited in it.

in red ink, in the column " Recoveries during the month ", a reference being made to the sanction under which the entry is made.

13. Whenever practicable, produce removed by right-holders, or under privileges granted by Government shall be shown in registers similar to Form No. 6, but with necessary alterations in the headings.

Produce
—removed
by right-
holders.

14. (i) A return (Form No. 11) of stores, tools and plant will be submitted to the Conservator by Divisional Officers once a year on the 1st July.

Form No. 11.
Return of
Stores, Tools,
and Plant.

(ii) Stores, tools and plant should ordinarily be classified as follows :—

- (a) Surveying and other instruments.
- (b) Machinery.
- (c) Tools.
- (d) Office and rest-house furniture.
- (e) Tents.
- (f) Building materials, small stores, and house fittings.
- (g) Miscellaneous.

15. (i) In those divisions where Government elephants or other cattle are kept, returns of live-stock, together with a statement of the cost of keep and of the work on which they have been employed, will be submitted to the Conservator in such forms and at such times as may be prescribed by the Local Government.

Returns of
Livestock.

(ii) Returns of elephants should show name, sex, age, height, value and condition of the animals.

16. A return (Form No. 12) of forest-produce and other property seized and disposed of otherwise than under section 67 of the Indian Forest Act, or under corresponding sections in other forest laws during the month, in accordance with the Forest Law or Rules in force, will be submitted monthly by Range officers to the Divisional Officer. An abstract of these returns, in the same form, will be forwarded monthly by the Divisional Officer to the Conservator.

Seizure and
disposal of
forest-produce
and other
property.
(Form No.
12.)

SECTION II.—BUDGET ESTIMATES.

Preparation of Budget and Revised Estimates.

17. The following rules should be observed by Divisional Forest Officers General, when preparing Budget Estimates :—

(1) The Revised Estimates should be kept quite separate from Budget Estimates so that they can be dealt with separately in Conservator's office.

(2) Revised Estimates should be prepared according to the following example :—

Revised Estimates for 1910-11.

The following columns should be filled in :—

Budget sub-head.	Actuals, 1909-10.	Sanctioned Estimate, 1910-11.	Revised Estimate, 1910-11.	Actuals of first four months, 1910-11.
1	2	3	4	5

(3) Column 4 should not ordinarily differ from column 3 under any Budget sub-head, and when this is the case no further explanation is required. If the allotments originally proposed in his Budget Estimate for any projects have been materially altered, the revised allotment for each project should be entered in the explanatory note accompanying the statement of Revised Estimates.

(4) When column 4 exceeds column 3 under any sub-head the reason of the excess should be clearly explained under this sub-head in the attached note, and if a transfer is proposed from another sub-head the details of reduction may be entered under that sub-head.

(5) The greater part of expenditure B is made out for the whole Circle, in the Conservator's office, and a Divisional Officer is not justified in transferring amounts allotted in his Division from B to A in his Revised Estimate without previous sanction.

(6) If for any reason an officer anticipates any excess expenditure under any sub-head which cannot easily be met from any other sub-head in his Division, he should apply for an extra grant to meet this expenditure.

(7) An extra grant may legitimately be asked for in the case of departmental operations under Article 75A of the Forest Department Code,

Budget Estimate.

The Budget figures for the succeeding year should be kept separate from the Revised figures. The following statements should accompany the Budget Estimate :—

(a)

Budget sub-head.	Actuals, 1908-09.	Actuals, 1909-10.	Revised Estimate, 1910-11.	Budget Estimate, 1911-12.
1	2	3	4	5

All projects will be entered in such detail as will enable the Conservator to check them. A note being made in the case of projects which require Conservator's sanction, that sanction will be subsequently applied for except in cases in which administrative sanction has already been accorded to any project or scheme. Any considerable deviations from the figures in the last three columns will be explained.

(b) A list of the permanent controlling subordinate and office establishments.

(c) (i) Temporary establishment charges :—

Budget sub-head.	Actuals, 1909-10.	Revised Estimate, 1910-11.	Budget Estimate, 1911-12.

(ii) Detailed list of temporary establishment :—

Budget sub-head.	Description.	Period required.	Rate of pay.	Total cost.
			Rs. A. P.	Rs. A. P.

Compilation and submission of Circle Estimates.

(8) The Budget Estimates for the Circle will be compiled in the Conservator's office from the Divisional Budgets and prepared by the 1st of October in duplicate, one copy being submitted simultaneously to the Local Government and to the Accountant-General, Bihar and Orissa. The Budget should be accompanied by three Schedules :—

I.—For new sanctioned schemes the maximum recurring cost of which in any one year is in excess of Rs. 5,000.

II.—For new sanctioned schemes the maximum recurring cost of which in any one year is less than Rs. 5,000.

III.—For new schemes which have not been administratively approved by Government, but for which it is desired to make provision in the Budget in anticipation of such sanction—supplying the following information :—

(a) Serial number of each new scheme.

(b) Reference to order or sanction.

(c) Brief but clear note as to nature of schemes.

(d) Ultimate cost—

(i) Recurring.

(ii) Non-recurring.

(iii) Total.

(e) Cost during budget year—

(i) Recurring.

(ii) Non-recurring.

(iii) Total.

(f) Remarks.

(9) The estimates will be accompanied as far as is necessary by an Explanatory Note which should be given at the foot of Form No. 13, in the case of the Circle Estimates.

(10) In the case of Divisional Officers, the estimates will be accompanied by an Explanatory Note which will be furnished separately. It should deal with the Revised Estimates of the current year, explaining the figures proposed against each head, comparing the actuals recorded to date with those of previous years, and justifying the proposed figures by these and any other known facts, particularly in those cases where the figures depart to any considerable extent from the sanctioned estimate for the year. The

Explanatory Note should also contain a justification in detail of the proposed revenue and expenditure for the ensuing year. When the proposed Revised Estimate of expenditure exceeds the Budget grant sanctioned by Government, it should be specifically stated whether the excess has already been covered by a formal additional grant.

(11) No new charge may be included in the Budget until sanctioned by competent authority; but a note may be made at the end of the Budget of any fresh charge that is expected to be sanctioned and to come in course of payment during the year to which the Budget relates.

18. Regarding the details that should be given in the Note in justification of the proposed expenditure the following remarks are added for guidance. Justification of proposed expenditure in the "Explanatory Note."

19. *AI.—Timber and other produce removed from the forests by Government agency:—* AI.—Departmental timber operations.

(a) Timber.

Here the number of trees to be felled, according to the Working-Plans of the forests in each Division, has to be entered; and, when there is no Working-Plan, the grounds for proposing fellings to the extent estimated must be stated. The rate and cost of each operation, such as felling, logging, carting, floating, bringing into depot, etc., etc., in cubic feet or per log, or otherwise must be given specifically. If it is proposed to cut up timber into planks or scantling, the estimated rates and cost must be specified.

Officers in charge of public works should be communicated with, and asked to state their probable requirements. Provision made by mere guess work is inadmissible. If definite information about the requirements of railways or other public works cannot be obtained in time, the Estimate both on the Receipts and on the Expenditure sides should not take account of such work at all; but the Government of India will, if need be, sanction an additional grant on the necessary explanation being submitted.

20. *AVII.—Communications and buildings:—*

AVII.—Communications and buildings.

(a) Roads and bridges.

(b) Buildings.

(c) Other works.

If previous sanction has not been obtained, a detailed estimate should accompany the Budget.

AVIII.—Or-
ganization,
improvement,
etc.

21. AVIII.—*Organization, improvement, and extension of forests:—*

(a) Demarcation.

It will be easy to explain what work in demarcation has been proposed but it must be distinctly entered for each Division, thus—

DIVISION A.

Demarcation by a trench 3' × 3", masonry boundary pillars at 2,000 feet and intermediate pillars at 200 feet apart, of forest B and forest C, being an estimated length of 10 miles trenching, as follows:—

	Rs.
Clearing jungle, at Rs. 3 per mile	57
Trenching, at Rs. 2 per 1,000 cubic feet	1,800
50 masonry pillars, at Rs. 12 each	600
500 intermediate pillars of piles of stone, with a stout post bearing serial numbers in the centre, at Rs. 2 each	1,000
Total	3,457

It is not sufficient to say "so many miles of demarcation work are expected to be done during the year".

(b) Cost of Forest Settlements: compensation for land and rights.

The reasons for which land is to be taken up, and the orders sanctioning the purchase of rights, must here be given. The Budget entry will be such as—

	Rs.
Plot of land of 25 acres belonging to inhabitants of A village in forest B, subdivision C, to simplify boundaries, at Rs. 20 per acre	500
To be paid to D, of village E, in lieu of right to graze 40 buffaloes in F forest	200
Total	700

(c) Surveys.

Before framing his Revised and Budget Estimates the Conservator should ascertain direct from the officer in charge of the Survey of India party or from the Superintendent of Forest Surveys, as the case may be, the expenditure, as estimated by the latter officer, to be incurred on forest surveys during the year concerned, and should base his Estimates upon them with any additions that may be necessary on account of surveys locally carried out by the Forest Department of the Province. The Conservator should also show in

his explanatory note to the Estimates, as well as the figures of the actuals for the past year under this sub-head, separate figures (a) for local surveys carried out by the Forest Department, and (b) for regular forest surveys by the Survey of India Department and the Forest Survey Branch; and either state that the latter figures have been furnished by the Department and Branch, or give the figures so furnished and explain any deviation from them in the Estimates. (Circular No. G-F., dated 2nd May 1896.)

(d) Sowing and planting.

The area to be sown or planted, the quantity of seed to be sown or the number of seedlings to be planted, as well as the contemplated nursery works shall be detailed.

(c) Protection from fire.

Under this head the means devised for keeping out fire, the cost of clearances and of temporary watchmen, of rewards to villagers for assistance, etc., the names of forests to be protected, with area, etc., will be given.

AIX.—Miscellaneous.

22. AIX.—Miscellaneous:—

(a) Law charges.

(b) Other charges.

It will only occasionally be possible to give details under (a). Under (b) Estimates will generally be framed by comparison with the actuals of preceding years. No provision need be made for refunds of Forest Revenue which are provided for under "I.—Refunds and Drawbacks", by the Accountant-General.

23. BI.—Salaries:—

BI.—Salaries.

For fixed charges the detailed estimate should show the full amount of the sanctioned scale (in the case of progressive salaries the actual salary which is being earned on 1st April of the year for which the estimate is made without reckoning any future increments) and when it is found by experience that a saving will arise from absence or other cause, a lump deduction may be made.

In the Explanatory Note the columns of numbers of officials employed must be carefully checked, and the rate of pay should be stated whenever possible, in order to admit of verification with the column of charges. Specific proposals for the increase of establishments and promotion to deserving officers are *not* to be made in the Explanatory Note. If it happen that proposals have gone up and are under consideration a suitable provision may be made, accompanied by reference to the case.

BII,—Travel-
ling allowanc-
es.

24. BII.—*Travelling allowances* :—

Care should be taken to frame the Estimate with due consideration of the actuals of past years.

BIII—Con-
tingencies.

25. BIII.—*Contingencies* :—

The estimate under this head should be based upon the past year's actuals.

Rents, Rates
and Taxes.

The estimate under sub-head (c) "Rents, Rates, and Taxes" will include office-rents and municipal and other taxes on lands and buildings belonging to or occupied by the Forest Department.

Statements of
permanent
and temporary
establish-
ments.

26. A statement showing the sanctioned permanent establishments as well as a separate statement exhibiting the comparative cost of *temporary establishments* according to the actuals of the past year, the Revised Estimate of the current year, and the proposed Budget Estimate for the ensuing year, should be attached to the Budget Explanatory Note.

The statement of sanctioned permanent establishments should show in the case of superior officers—

- (1) number,
- (2) class,
- (3) rates of pay ;

and for subordinate officers and office establishments—

- (a) number of employes drawing more than Rs. 200 a month each with the rate of pay, and also the actual pay they receive in the appointment they hold ;
- (b) number of employes drawing less than Rs. 200 a month each with the rate of pay, and also the actual pay they receive in the appointment they hold separately for each class of employes such as—

Rangers,
Deputy Rangers,
Foresters,
Guards,
Clerks,
Servants, etc.

Details are also required of the Budget provision under "Deputation and Special Allowances".

A subsidiary statement should be submitted with each Budget Estimate, showing separately the estimated outlay on account of books and stores expected to be purchased from Europe and America; and the outlay on this account should be entered under the proper Budget sub-heads, viz.:—

AVI c.—Stores, tools and plant.

BIII f.—Other charges (for books and periodicals).

27. (i) The figures in column I, Actuals, must be verified by the Accountant-General.

Figures to be entered in the Budget Estimate sheet.

(Form No. 13.)

(ii) The figures in column II will be the figures of the Budget Estimate for the current year, as already sanctioned by the Government. If any modifications of the original grants have been made under proper authority in the course of the year, the modified grant should not be shown as the Budget Estimate, but the sanctioned changes in the grants should be fully set forth in explaining the Revised Estimate in the explanatory note (see Rule 17, paragraphs 9 and 10).

(iii) The figures in column III, the Revised Estimate, will be based on the actuals of as many months of the current year as may be available, and an estimate of the revenue and expenditure of the remaining months.

(iv) It should be clearly understood that the fact that a particular sum in excess of the Budget grant has been entered in the Revised Estimate of charges is no authority for exceeding the Budget limit of expenditure. The authority for any such excess expenditure should be separately obtained by an additional grant under Articles, 158, Civil Account Code and 75-A., Forest Department Code, as soon as the occasion for any new or increased expenditure arises, and quite apart from a consideration of the Revised Estimate. An additional grant being the only authority for expenditure in excess, e.g., of the Budget Estimate, the Government of India assume in the absence of special reasons to the contrary, that any such excess included in the Revised Estimate, but not already covered by an additional grant, cannot be a correct forecast of the probable expenditure (*vide* Rules 30-35).

(v) The figures in column IV, the Budget Estimate, represent the expected revenue and the proposed expenditure of the ensuing financial year, and they will be prepared according to instructions given in the foregoing rules.

28. The figures of the Estimate must be shown separately against each head and sub-head of the prescribed form. It is prohibited to introduce new sub-heads without the authority of the Government of India.

Detailed figures under each sub-head.

Details of
works esti-
mated to cost
over Rs.
5,000.

29. Whenever the outlay on any one work or item of capital expenditure within the year is expected to exceed Rs. 5,000, all needful particulars regarding such work or item must be entered separately in the Explanatory Note.

Government
of India
Resolution
No 2162-Dx,
dated the 30th
April 1901.

30. 1. It must be remembered that for the increasing of expenditure two conditions must be present *independently* :—

- (1) The expenditure must be within the limits of the originally sanctioned Budget Estimate, or of some "extra grant" sanctioned by competent authority in addition to the original estimate ;
- (2) The expenditure must have been sanctioned, as expenditure by superior authority, unless it is within the sanctioning powers of the expending officer.

Neither of these two conditions implies the other, and it is the duty of the expending officer to satisfy himself that both are present.

2. Although it is sometimes in occasional extraordinary circumstances necessary for an expending officer to disburse money, or to engage to do so, in the absence of one or both of these conditions, he must remember that he is taking upon himself a responsibility for which he has to give a due account and he is bound at once to report his action for regularization.

Government
of India
Circular No. 5
F., dated the
21st March
1895.

31. The Budget Estimates are passed and *sanctioned* before the commencement of the year to which they apply. They *provide* for expenditure within certain limits ; and Local Governments have power, subject to well-known rules, to regulate their expenditure within these limits. Outside these limits no expenditure of any sort whatever can properly be incurred, unless a special additional grant to cover it has been applied for and sanctioned by the Government of India.

32. The Revised Estimates (not Revised Budget Estimates, as they are often improperly called) make no *provision* for any expenditure whatever ; they are *accepted*, not sanctioned, by the Government of India ; and no entry in them carries with it any authority for expenditure of any kind. They do not even provide for, or authorize, the expenditure of charges already entered in the Budget Estimates ; for these latter alone possess authority. The Revised Estimates are not Budgets or appropriations of money, nor do they supersede the Budget Estimates as the basis for the regulation of expenditure. They are estimates pure and simple, prepared for information, in order to indicate to Government how far the expenditure already sanctioned (in the Budget Estimates and in subsequent additional grants, if any

will be worked up to. If the figures for expenditure in the Revised Estimates exceed the total of the Budget Estimates, and of special grants already made or applied for, they clearly must be wrong, and will be corrected accordingly by the Government of India; for no expenditure can be incurred that has not been sanctioned, and if it had become apparent, before the preparation of the Revised Estimates, that expenditure in excess of existing sanction would be necessary additional sanction would, under standing rules, have been applied for at once.

33. The rule is that sanction to all expenditure in excess of Budget provision must be applied for *as soon as it becomes apparent that such expenditure will be necessary*. When, however, the excess expenditure under individual heads is small, it may happen that the general review of the year's requirements which is made for the purposes of the Revised Estimates discloses for the first time the necessity for such expenditure. When that is the case, the application for an additional grant must be made at once, separately, and in a complete form, so that it may be disposed of quite apart from the Revised Estimates. It has, indeed, no connection with those estimates; for the making of the application is a condition precedent to the inclusion of the sum applied for in the estimates: in short, the estimates depend on the grant, not the grant upon the estimates.

34. As soon, then, as it appears that expenditure in excess of Budget sanction will be necessary, an application for an additional grant should be made at once. It must be shown—

- (1) That the expenditure is necessary and unavoidable, or at least in the highest degree advisable;
- (2) That it could not have been foreseen when the Budget Estimates were prepared; or, if it could have been, it must be explained why the necessary provision was not made;
- (3) That it cannot be met by re-appropriation within the Budget grant for forest expenditure;
- (4) That it cannot be met by re-appropriation from the Budget grants under other major heads of expenditure which are controlled by the Local Government.

35. In an organization, such as the Forest Department, extra expenditure may occasionally be highly advisable, though not absolutely unavoidable. For instance, expenditure which produces revenue may have to be

increased in the course of the year; and if a demand should spring up for certain forest-produce, it must be met at once, or the revenue may be altogether lost. But in all cases the necessity for the proposed excess expenditure must be fully explained and justified in detail; more general references to a probable increase in the receipts are insufficient.

Government
of India
Resolution
No. 136) A,
dated the 21st
March 1893.

36. In submitting fresh proposals for expenditure it should, in future, be distinctly stated whether provision for the proposed charge has or has not been made in the Budget Estimate.

Revised Estimates.

Government
of India
Resolution
No. 223) A,
dated the 18th
May 1897.

37. The Revised Estimates of any year are a mere forecast, as accurate as possible, of what the actual results of the year are likely to be, independently of the question whether there is, or is not, authority for the expenditure included in those estimates, and that the figures adopted for them are useful only for administrative purposes and cannot be used for purposes either of Budget control or of audit. The acceptance of the Revised Estimates does not warrant any departure from the rules for controlling and limiting expenditure by Budget provision, and the figures of the Revised Estimates should not be taken as in any way superseding, for purposes of control of expenditure, the Budget Estimates passed by the Government of India.

The authorized grants made in the letters which convey orders on the Budget Estimates and any additional grants or re-appropriations made under proper sanction and authority, and not the figures in the Revised Estimates, should therefore always be made the basis of applications for any necessary additional grants. As soon as it becomes apparent that expenditure in excess of the budget grant will be necessary under any head and cannot be avoided, an application for an additional grant should be made, unless it is within the power of the Local Government to sanction the grant itself: full explanation of the particular items to which the excess is due and of the reasons for incurring the expenditure should be given, and specific re-appropriations of Budget grants should be proposed, or if it is necessary to go beyond the limits of Budget grants specific additional grants should be proposed; nor should the explanations required in these cases refer in any way to the Revised Estimates. It is not convenient that the Revised Estimates should be in any way connected with such applications as their acceptance does not imply any sanction to the expenditure included in them.

It is also necessary to point out that additional grants for any year cannot be sanctioned after the close of the year; and that proposals for such grants as well as for re-appropriations of existing grants should, therefore, always be submitted in time to admit of orders on them being passed before the close of the year. Excesses of expenditure which are ascertained too late to admit of that should be dealt with as prescribed in the above-quoted Resolution of 21st March 1895.

SECTION III.—ACCOUNTS.

38. (i) Members of the Office establishment should not be entrusted with Government money, except as advances by cheque on account of the pay of office establishments and for contingent charges, which should as a rule, be made payable only to the head or camp clerk, nor should they be authorized to receive payment for forest-produce. All subordinates who have the custody of Government moneys or who deal with the collection of forest revenue should be made to furnish security, in accordance with the rules in force.

Members of Office establishments not to be entrusted with Government money, nor to receive applications or payments for forest-produce.

(ii) Applications for forest-produce should be received by the Divisional Officer or other officer especially authorized, and not by members of the office establishment. When the officer so authorized is not at headquarters, the applications should be sent to him accompanied by the Treasury *chalan*, on receipt of which he can issue the necessary license.

39. *Under no circumstances* shall any Forest Officer or subordinate place any private money in his Government cash chest.

Placing of private money in Government Cash Chest prohibited.

40. Whenever any defalcation, or loss of public money or fraud in connection with the revenue from timber or other forest-produce is discovered, the fact should be immediately reported to the Local Government and when the matter has been fully inquired into, a further and complete report should be submitted to them of the nature and extent of the loss, showing the errors committed or neglect of rules by which such loss was rendered possible, and the prospects of effecting a recovery. (See also Article 20, Civil Account Code.)

Defalcation or loss of public money by fraud.

41. All cheques forwarded to the Treasury for re-credit in the Treasury Accounts should be endorsed as follows under the signature of the Forest

Filling up of cheques, forwarded to the Treasury for re-credit in the Treasury Accounts.

Officer :—" Received payment by transfer credit to Revenue under head of service.—A. B., Forest Officer." No such cheque should ever be made payable to any Forest Officer or Treasury Officer by name or by official designation (cf. note 2 to Article 314, Civil Account Code).

Unusual
expenditure.

42. Whenever unusual expenditure, i.e., of a novel, doubtful or irregular nature has to be incurred, the sanction of the Local Government must be obtained.

Extent of
powers of
sanction given
in Articles 69
and 70.

43. It must be distinctly understood that the powers of sanction given in Articles 69 and 70 of the Forest Department Code must be exercised within Budget limits; that is, no expenditure must be incurred under any Budget head if the provision made under such head by competent authority is not sufficient to cover the outlay.

Execution of
works requir-
ing sanction
on estimate.

44. Works requiring sanction on estimate shall not be commenced until the estimate prescribed in Article 70 (ii) of the Forest Department Code has been sanctioned.

Advances to
contractors.

45. In accordance with Article 71 of the Forest Department Code 1913, the following instructions are laid down for observance in granting advances to contractors * :—

- (1) Advances to contractors should only be given in exceptional cases when no other arrangements can be made for carrying on the work.
- (2) Whenever possible no advance should be made exceeding in amount the value of work already completed.
- (3) In exceptional cases, where it is necessary to grant an advance before work is commenced, the Divisional Officer must satisfy himself that the contractor is reliable and in a solvent state, and must cause the contractor to execute a personal agreement for the summary recovery of the amount advanced. Wherever possible, a third party should be added as surety for the amount.
- (4) No advance or advances exceeding an amount to be fixed by the Conservator should be granted to any contractor without the sanction of the Conservator.
- (5) Divisional Officers will be held personally responsible for all advances to contractors when the amounts advanced can be shown to have been needlessly or imprudently large or frequent.

Under the provisions contained in clause 4 of the above Government order, Divisional Forest Officers of the rank of Deputy Conservator of Forests or Extra Deputy Conservator of Forests may grant an advance up to Rs. 500 and other Divisional Forest Officers up to Rs. 250.

46. The Cash-book of all disbursing officers subordinate to the Divisional Forest Officer shall contain a detailed record of their daily transactions and shall be written up daily.

47. All disbursers' offices should be inspected by Divisional Officers at least once a year, and a written report made of such inspection.

Inspection of
disbursers'
offices.

48. All receipts and charges on account of private firms, Native States or Public Departments which cannot be adjusted at once will be shown under the head "Suspense". Such receipts and charges must not be allowed, to remain unadjusted more than twelve calendar months.

Suspense
Transactions.

49. When revenue on account of timber or other forest-produce is paid in advance, the amounts will be at once credited to the appropriate sub-heads in the Cash-book, entries being made in the column of "Remarks" of Form No. 3 or No. 4, as the case may be, showing the nature of the transaction, etc. Such revenue should in no case be left unadjusted for longer than three months (*see* Form No. 25).

Revenue
received in
advance.

In the statement for the month in which the delivery of the timber or produce has been effected or completed, a reference will be made to the return in which the payment has been entered.

50. The salary bills of gazetted officers (Form No. 14), duly receipted with stamps attached, when necessary, will accompany the accounts as vouchers, copies being kept in the Divisional Office.

Salary bills
of gazetted
officers.
(Form No. 14.)

51. (i) The establishment bills of the permanent staff, in English or vernacular, will be prepared in books (Form No. 15), and the signature of each recipient will be taken when payment is made, receipt stamps being attached, when necessary. When receipts of persons serving at a distance are obtained on separate abstracts, the Divisional Officer will note in the signature or "Remarks" column of the divisional bill book, that the receipts of the incumbents have been obtained and filed separately.

Permanent
establish-
ments. (Form
No. 15.)

(ii) In the establishment bills complete lists of the sanctioned scale of establishment will be entered on the first day of each month; but only salaries actually paid up to the last day of the month, and for which the payees' receipts have been received in the Divisional Office will be charged in the Cash-book. Salaries remaining unpaid will merely be entered in columns 3 and 4, and left out of the total for each range or forest unit to be posted in column 6.

Establishment
bills.

Absentee
Statement.

52. The Local Government having declared in their order No. ^{4150-B.} III-P-18, dated the 16th June 1915, that the Subordinate Forest and Office establishments of the several Forest Divisions should be treated as on a provincial scale for purposes of audit, the Accountant-General has introduced the forms of Absentee Statements prescribed in Article 60 A of Civil Account Code (see note to Article 448-A, paragraph 32 of Civil Account Code).

Vouchers for
pay of permanent
establishments.

53. The vouchers for the pay of permanent non-gazetted establishments to accompany the cash accounts will be abstracts from the establishment bill book signed by the Divisional Officer. In these vouchers the names of persons on salaries of Rs. 10 and under need not be given, but the number and the several designations of posts in each grade on different rates of pay must always be specified.

Travelling
allowance
bills.
(Form No.
16.)

54. (i) The travelling allowance bills (Form No. 16) of officers under the rank of Conservators must be supported by journals, which will be written up in such forms as the Conservator may prescribe.

(ii) Hours of journey should be quoted in the bills—

(a) When for an absence from headquarters of not more than two consecutive days daily allowance is claimed for two days;

(b) When mileage or actual expenses, in lieu thereof are claimed;

(c) When both railway or steamer fare and daily allowance are claimed in respect of a journey by rail or steamer immediately preceded or followed by journey by road or by a halt.

(iii) The travelling allowance bills of the Conservator will be submitted with the monthly accounts as vouchers, and may be paid without countersignature. Those of other Forest Officers will be countersigned previous to payment, by the Conservator under whom they are serving. The Conservator may, with the sanction of the Local Government, delegate

NOTE 1.—The number of miles travelled should be entered in all cases of journeys by road or by boat.

NOTE 2.—Permanent travelling, conveyance, and house allowances should be drawn along with the pay of the officer and not on Travelling Allowance bills.

NOTE 3.—When the first item of travelling allowance to any officer is a halt the date of commencement of that halt should be stated in the "Remarks" column.

NOTE 4.—Whenever daily allowance for more than ten days of a halt at one place is drawn by any officer, a certificate should be given on the travelling allowance bill to the effect that camp equipage was maintained during the whole period of the halt.

to Divisional Officers the power of countersigning on his behalf the travelling allowance bills of members of the executive, protective, and office staff serving under him.

(iv) The bills of Forest Officers not under the control of the Conservator will be countersigned by such officer as the Local Government or other chief local authority may direct.

(v) Divisional Officers must countersign all the travelling allowance bills and journals of their officers and subordinates before submitting them to the Conservator.

(vi) The officer who countersigns travelling allowance bills must satisfy himself that the charges are justified by the circumstances of the case.

55. The vouchers for charges on account of travelling allowances will be the original bills countersigned by the Conservator or by the officer duly authorized by the Local Government and receipted by the payees. Account of travelling allowances.

56. All entries in the Cash-book of "remittances of revenue to treasuries" will be supported by vouchers in the Treasury *chalan* or advice list form. The name of the treasury and the treasury number and date of each *chalan* or advice list will invariably be entered in the Cash-book in the column of "Particulars"; and when revenue is remitted to a sub-treasury or tahsil, the name of the district treasury to which it is subordinate must also be given. Revenue remittances to treasuries.

57. (i) Every *chalan* or advice list will be examined and initialled by the Divisional Officer, who must satisfy himself that it bears the Accountant's and the Treasurer's signatures, and if the sum acknowledged is Rs. 500 or more, the Treasury Officer's signature also. *Chalans* for sums paid by cheques against letters-of-credit in favour of the Treasury Officer will not be signed by the Treasurer; the second signature on such *chalan* for sums under Rs. 500 will be that of the person who may have been nominated to that duty by the District Officer. (See also Article 3, Civil Account Code.) Treasury chalans.

(ii) The following particulars will be given in English on the back of each vernacular *chalan* or advice list :—

- (1) Name of sub-treasury or tahsil.
- (2) Amount acknowledged.
- (3) Number and date of Treasury Officer's receipt.
- (4) By what Forest Officer remitted.

Vouchers.

58.) All payments must be supported by vouchers in the following forms :—

Pay of permanent or temporary establishment	...	Forms Nos. 14-15.
Travelling allowance bill	... ..	Form No. 16.
Cash remittance to treasuries	... ..	Treasury <i>Chalan</i> or advice list.
Revenue derived from supplies to Public Departments	...	Form No. 60-K, C. A. Code
Daily labour forms	... ..	Form No. 60-L, C. A. Code
All other payments	... ..	Form No. 60-M, C. A. Code or Post Office receipt with inland money order acknowledgment.

(ii) All vouchers for payments, including advances, except treasury *chalan* or advice lists and acknowledgments of transfer to the Departments, must bear the dates of payment, and they must be passed for payment, in words as well as in figures, by the Divisional Officers, who thereby assume the responsibility for the charge.

(iii) Disbursement certificates are required on all vouchers.

(iv) When an officer who does not belong to the Forest Department is in charge of a Divisional or District Forest Office, he should sign the Contingent Bill of the office once only. A second signature on every Contingent Bill as countersigning officer, is not necessary in such a case.

(v) All vernacular accounts must be accompanied by abstracts in English, and the needful particulars will be entered in English on all vernacular vouchers and signed by the Divisional Officer when they are forwarded for audit in support of charges entered in the Divisional monthly accounts.

Transactions
with Public
Departments
(Form
No. 60 B, C. A.
Code)

59. (i) Revenue derived from sales to Public Departments will be adjusted by book-transfer.* A statement (Form No. 60-K, Civil Account Code) in triplicate will be sent to the officer to whom the produce has been supplied ; he will sign and return the original, which will then be used as a voucher (*vide* Rule 5b).

(ii) A similar procedure will be followed in the case of payments to other Departments. Bills or price-invoices received from a supplying Department should be at once adjusted in the Cash, book by credit to the Department concerned, and by debit to the proper budget sub-head, the duplicate bill or invoice, duly receipted, being promptly returned.

* Attention is invited in this connection to the Resolution recorded by the Government of India in the Department of Finance and Commerce, No. 4145, dated 23rd July 1923, reproduced with amendments up to date in Article 83 of the Civil Account Code ; also to the Revenue and Agriculture Department's Circular No. 13-F., dated 12th July 1927.

(iii) The departmental number and date of each bill or invoice for supplies received from another Department, and the date of acceptance of each bill for timber, etc., supplied to another Department, will invariably be quoted in the entries in the divisional cash accounts.

60. (i) Under "Labour" is included all bonà fide manual labour employed—

Definition of
"Labour"
under Art. 6
(iii), F. D.
Code.

(a) on the reaping, collection, fashioning, removal, transport, and sale of forest-produce;

(b) on the feed and keep of cattle;

(c) on the construction and maintenance of tools and plant;

(d) on the construction and maintenance of communications and buildings;

(e) on the demarcation, improvement, extension, and protection of forests, including, subject to the Conservator's sanction, surveyors and draftsmen employed on a definite piece of work.

(ii) Coolies' mates are comprised under the head of "Labour", but any further supervision is distinctly excluded.

(iii) Permanently-employed gardeners and workmen are comprised in "Labour" only when their employment is sanctioned in the provisions of a Working-plan.

(iv) House-guards and sweepers employed in permanent depôts or buildings are also excluded.

(v) Tent-keepers and letter-carriers employed for a longer period than a season's tour are also excluded.

(vi) Divisional Officers and Conservators are personally responsible that Labour is not retained for a longer period than is actually required.

(vii) Labour will be charged under the appropriate heads and sub-heads.

(viii) Temporary Office Establishments, which include employés entertained for any clerical work whatsoever—such as muharrirs, draftsmen, etc., will be charged to sub-head B.I. (d).

(ix) Local Government will inform the Accountant-General of any orders passed under this rule.

61. The amounts of cheques drawn will be entered in the Cash-book at once, and the expenditure for which the cheques are drawn will be charged under appropriate heads of service or account.

Entries in the
Cash-book of
cheques
drawn.

Forms to be rendered to the Conservator.

62. On the same day on which the accounts are sent to the Accountant-General, Classified Abstracts of Revenue and Expenditure (Form No. 60-P, Civil Account Code,) will be submitted to the Conservator by Divisional Officers, the items in these classified abstracts being entered in such detail as the Conservator may direct; and monthly returns and accounts of timber and other forest-produce (Forms Nos. 2, 3, 4, 5, 6, 12 and forms under Rule 13) will be submitted to the Conservator. Forms Nos. 2, 4, 5 and the form prescribed under Rule 13 must contain the information arranged according to working-circles, or such units as may have been fixed under Articles 54 and 55 of the Forest Department Code.

Scrutiny of Timber and Sale Return.

63. The monthly timber and sale returns received from Divisional Officers will be scrutinised and the entries compared with the transactions shown in Form No. 60-P, Civil Account Code, the opening and closing balances carefully checked, and the Divisional Officers addressed regarding any discrepancies which may be noticed. If any produce is entered as received during the month, the expenditure on account of which cannot be charged off in the same month, the reason will be briefly recorded in the "Remarks" column against the entry in question.

Register of financial results. (Form No. 17.)

64. (i) A register in Form No. 17 will be kept in the Conservator's Office, showing the distribution of receipts and charges in each year, arranged according to Divisions, under the following heads:—

- (a) Timber and other produce removed from the forests by Government agency;
- (b) Other revenue.
- (c) Formation, protection and improvement of forests.

(ii) The revenue will be distributed as follows:—

Budget head I will be entered under (a).

Budget heads II, IV and V under (b).

(iii) The revenue under Budget head III will be entered under (a) or (b) according to local circumstances.

(iv) Of the expenditure under "A.—Conservancy and Works"—

Budget head I will be entered under (a).

Budget heads II and IV under (b).

Budget head VIII under (c).

(v) The expenditure under the remaining heads of "A (III, V, VI, VII and IX)" and under the heads of "B.—Establishment" will be distributed proportionately under (a), (b) and (c), according to local circumstances.

(vi) The entries in the register will be made once a year as soon as Form No. 24-F. D. C., "Annual Summary of Revenue and Expenditure," has been received from the Accountant-General.

65. A monthly return in Form No. 24 will be sent by the Conservator to Intimation of the Accountant-General of all sanctions of works in accordance with Article sanction.
448—A-85 of Civil Account Code.

66. A register of fixed demands will be submitted in Form No. 27 on the Submission of 1st April each year by the Divisional Forest Officers to the Conservator. Register of fixed demands.

67. A comparative statement of Revenue and Expenditure should be submitted as early as possible in December, January and February in Form Conservator's Circular No. 233, dated the 28th October 1903. No. 26 in order that savings towards the close of the year in certain Divisions may be utilized in others so that the budget figures sanctioned by Government may be worked up to.

SECTION IV.—OFFICE BUSINESS.

68. A group of documents relating to one subject is called 'a Definition of "case"'. A group of cases referring to one head or division of work "cases" and may be collected in a "file". "files".

69. Each case will be kept within a stiff cover standardized for the Case cover. purpose, and on the title-page of this will be entered the number and subject of the case and its references, if any, to previous and subsequent correspondence.

70. A register of cases will be kept (Form No. 18) with a Case registered; series of numbers commencing on the opening of each calendar year. (Form No. 18.) The cases falling within each "file" or "class of cases" should be entered in one place, space being set apart in the Case Register for entering the cases of each "file" in the order of their number. The number given to each "file" should be in Roman figures, e.g., "I" for "Accounts". The number given to each "case" should be in Arabic figures. Cases should be serially numbered within each "file". Thus "I—1" will mean Case No. 1 of File "I—Accounts".

71. Government and Account Department general orders and Government circulars will be filed separately, according to number and date, in a Department "Circular file". If they are received in duplicate, one copy will be placed with the case to which it relates. If only one copy be available, and it has special reference to any case, a memorandum of its contents and circulars. will be filed therewith.

Registers of
books and
maps. (Form
No. 19.)

72. (i) In each office a register of books (Form No. 19) must be kept up. The current number of the register and the date of receipt should be entered on each copy. The column of "Remarks" is intended to explain what has become of any copies which may have been lost or otherwise disposed of. The entries in this column should be dated and initialled by the officer to whose office the books belong.

(ii) A separate register for maps will be kept in the same form.

Registers of
correspondence. (Form
No. 20)

73. (i) Registers of receipts and issues of all correspondence will be kept in the same book (Form No. 20) comprising, if necessary, consecutive volumes of convenient bulk.

(ii) A new series of numbers will be commenced in each register book at the opening of each calendar year. Circulars are to be entered in red ink.

Destruction
of 15 is a
documents.

74. (i) Every year, in the months of September and October the Divisional Officer and his clerks will sort the cases that have been closed for three full years, with a view to destroy those documents which may be considered of no further use. A large bulk of the correspondence may be got rid of by destroying forwarding dockets, inquiries and reminders. Many of the letters relating to questions which have been settled for three full years can also be destroyed, provided the register books contain all that may be necessary to ascertain regarding them.

(ii) The original accounts rendered to the Divisional Officer by Sub-divisional Officers and subordinates, and which have been filed in his office for three full years, should be similarly set aside for destruction.

(iii) Such documents as annual or special reports, correspondence relating to boundary questions, to rights and privileges of other persons in the forests, to working-plans and annual plans of operations, and to all subjects affecting the general management and history of the forests included in the Division, as well as all orders of Government and circulars on important subjects, should be carefully preserved.

(iv) All correspondence registers shall be preserved for twenty years.

Records in Forms Nos. 60-E, 60-F, 60-H, 60-I, and 60-N, Civil Account Code and Form 15, should be preserved for the periods specified in the margin. The Register of Reserved Forests (Form No. 1, Forest Department Code), is an important document and should be continuously retained. Forms Nos. 2, 3, 4 of the Forest Department Code and Form No. 60-P, Civil Account Code, should be preserved until a working-plan or other report, embodying a complete account of

Form No. 60-E	6 years.
" 60-F	6 "
" 60-H	25 "
" 60-I	30 "
" 60-N	30 "
" 15	30 "

the history and statistics during any period considered, has been prepared or revised for the forests in question. As a general rule, when monthly or annual returns have been reproduced or adequately summarized in printed working-plans or administration reports, the original manuscript forms, if they have been retained for at least three full years in all, may be destroyed.

(v) Those papers, which it is proposed to destroy, will be submitted to the Conservator on his next visit and his authority will be obtained for their destruction.

(vi) The Local Government may authorize any selected officer or class of officer in charge of a Forest Division the power to authorize the destruction of useless records.

(vii) These rules apply to Conservator's office as well as to Divisional offices.

75. A register of the distribution of books and circulars, etc., will be kept in Form No-21.

Register of
distribution of
books, etc.

76. When the Conservator or any Divisional Forest Officer is absent on tour, a list in Form No. 22 of all documents received in his office will be sent to him daily or as frequently as he may direct with all papers necessary for his orders.

List of correspondence to be sent to Forest Officers when on tour.

77. On the occasion of a transfer of charge arrangements must be made by the two officers concerned that the relieving officer is placed in such a position as will enable him to carry on the duties of which he has taken charge in an efficient manner, and with as complete a knowledge of the property entrusted to his charge, the works in progress and all arrangements made in connection with them, as the circumstances of the case admit.

Transfer of
charge.
General.

78. A transfer report, signed by the relieved and relieving officers will, on the day of transfer, be submitted to the Conservator in the case of a transfer between two Divisional Officers, and to the Local Government in the case of the transfer of the Conservator's office. The relieved officer will report the transfer of divisional charge to the officers in charge of the treasuries on which he holds letters of-credit, and will, at foot of the report, send a specimen of the relieving officer's usual signature, in order that the treasury officers may satisfy themselves as to the validity of the cheques presented by the relieving officer. (See Article 19, Civil Account Code.)

Transfer
report.

79. The relieving officer must see that all office books are posted up to date, and, in the case of cash and stock accounts, that the needful vouchers of receipts and issues belonging to the accounts of the

Accounts and
vouchers.
Outstandings
and liabilities

current month are made over to him. The relieving officer will make himself acquainted with all outstandings and liabilities on account of the Department, and state that he has done so.

Cash. 80. (i) The Cash-book will be closed, and the cash balance will be counted, in the presence of both officers, who will then sign the book.

Certificate of transfer of charge.
(Form: No. 23.) (ii) A certificate (Form No. 23) will be made out in duplicate and signed by both officers. These certificates will be forwarded to the Conservator or to the Local Government, and the original will be submitted to the Accountant-General. (See Article 47, Civil Account Code.)

Timber and forest-produce. 81. In the case of a transfer between two Divisional Officers the relieving officer will take over charge of all timber, bamboos, and other forest-produce, for which a certificate, in a form similar to that prescribed in Rule 80 for cash, will be submitted.

Other properties. 82. Besides cash, timber, and forest-produce, the following are the main classes of property which ordinarily form the subject of transfers between Divisional Officers:—

- (1) Demarcated reserves.
- (2) Plantation.
- (3) Timber depôts and revenue stations.
- (4) Buildings, roads and bridges.
- (5) Live-stock.
- (6) Machinery, stores, instruments, and tools.
- (7) Books and maps.
- (8) Office records.
- (9) Office furniture.

Examination of property by relieving officer. 83. (i) In the transfer report, the relieving officer should state by what means he has satisfied himself of the nature and condition of the different classes of property of which he has taken charge.

(ii) Live and dead stock and other articles which may be at headquarter as well as books and maps, office records, and office furniture should, as a rule be personally inspected by the relieving officer at the time of transfer, and the fact of this having been done should be stated.

(iii) In the case of property at a distance from headquarters the register and other documents in which they are described should be examined.

SECTION V.—MISCELLANEOUS.

84. The following Statements show the dates for the submission of returns due by Conservator :—

Reports and Returns due from Conservator's Office.

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.
	Month.	Date on or by				
1	2	3	4	5	6	7
			<i>Monthly.</i>			
1	Monthly.	Last day of month.	Register of Cheques and Cash-Balance Report (Forms C0F and C0G, Civil Account Code).	Calendar month.	Accountant-General.	Civil Code 448A, paragraphs 20 and 19).
2	Do. ...	5th ...	Monthly cash accounts of Direction Division (Forms Nos. 60-I, 60-O, 60-P, and 60-Q, Civil Account Code).	Do. ...	Do. ...	Civil Code 448A, paragraph 48).
3	Do. ...	Within 10 days of receipt from Divisional Forest Offices.	Form No. 60-O, with vouchers.	Do. ...	Do. ...	Civil Code 448A, paragraph 55).
4	Do. ...	15th ...	Absentee Statement (Civil Account Code, Form No. 7).	Do. ..	Do. ...	Civil Code, 60-A and Accountant-General, Bihar and Orissa's No. SA-11-397, dated 7th July 1915.
5	Do. ...	15th ...	Intimation of sanction accorded to items of Capital expenditure.	Do. ...	Do. .	Civil Code 448A, paragraph 35).
6	Do. ...	Within a week of receipt.	Reply to Accountant-General's objection statements (Form No. 60-S or 60-T, Civil Account Code).	Do. ...	Do. ...	Civil Code 448A, paragraph 56).
7	Do. ...	As soon as all objection statements are returned.	List showing dates on which Accountant-General's objection statements were sent to and received from Divisional Forest Officers.	Do. ...	Do. ...	Civil Code 448A, paragraph 57).

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.
	Month.	Date on or by				
1	2	3	4	5	6	7
			<i>Monthly—consolid.</i>			
8	Monthly...	After check of accounts.	Issue of objection statements.	Calendar month.	Divisional Forest Officer.	Civil Account Code (Article 448A, paragraph 55).
9	Do. ...	Do. ...	Extract from Conservator's objection statements.	Do. ...	Accountant-General.	Civil Account Code (Article 443 A, paragraph 55).
10	Do. ...	On receipt from Accounts and General.	Summary of Revenue and Expenditure.	Do. ...	Divisional Forest Officer.	Forest Department Code (7th Edition), 60.
11	Only on occurrence of death.		Return of deaths of European Officers.	Do. ...	Government Revenue and Appointment Departments.	Article 28, Civil Account Code, and Bihar & Orissa Government order 1038-R, No. IVM-89, dated the 11th February 1914.
12	Monthly	15th ...	Buxi Government Building occupancy statement.	Do. ...	Executive Engineer, Kota Nagpur Division	Government, Public Works Department, No. 1411-A., dated the 2nd-6th June 1913.
			<i>Quarterly.</i>			
1	March ...	10th ..	Application for Letters-of-credit. (Form GO-D, Civil Account Code.)	First quarter of Financial year.	Accountant-General.	Civil Account Code, Article 448A, paragraph 24 (ii).
2	June ..	10th ...		Second quarter of Financial year.		
3	September	10th ..		Third quarter of Financial year.		
4	December	10th ..		Fourth quarter of Financial year.		

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.
	Month.	Date on or by				
1	2	3	4	5	6	7
			<i>Half-yearly.</i>			
1	January	1st	Statement of Superannuated Gasetted Officers.	Attaining or exceeding 55 years between following 1st April and 30th September.	Revenue Secretary.	Bihar and Orissa Government, Appointment Department, No. 218-A., dated the 2nd January 1915.
2	Do.	20th	Classified List of Forest Officers.	As on 1st January.	Do.	Bihar and Orissa Government, Revenue Department, No. 4860-61R(B), T.I.F. 85 dated the 9th October 1912.
3	Do.	As soon as possible after receipt from Divisional Forest Officers.	Classified List of Subordinate Forest and Clerical establishments.	As on 1st January.	Superintendent, Government Press, Bihar and Orissa, for printing.	...
4	February	Do.	First Half-yearly Departmental Examination of Forest Officers.	...	Secretary, Central Examination Committee.	...
5	July	1st	Statement of superannuated Gasetted Officers.	Attaining or exceeding 55 years between following 1st October and 31st March.	Revenue Secretary.	Bihar and Orissa Government, Appointment Department, No. 218-A., dated the 2nd January 1915.
6	Do.	20th	Classified List of Forest Officers.	As on 1st July.	Revenue Secretary.	Bihar and Orissa Government, Revenue Department No. 4860-61-B. (B), T.I.F. 85 dated the 9th October 1912.

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom	Authority.		
	Month.	Date on or by						
1	2	3	4	5	6	7		
			Half-yearly— concl.					
7	July	...	As soon as possible after receipt from Divisional Forest Officers.	Classified List of Subordinate Forest and Clerical establishments.	As on 1st July.	Superintendent, Government Press, Bihar and Orissa, for printing.	..	
8	Do.	...	Do.	...	2nd Half-yearly Departmental Examination of Forest Officers.	Secretary, Central Examination Committee.	..	
			Yearly.					
1	January	...	1st week	...	Sanction to temporary establishment.	Year ending February.	Divisional Forest Officers.	..
2	Do.	...	15th	...	Return of functions accorded under Article 1000 of Civil Service Regulations.	Calendar year.	Financial Secretary.	Government Circular No. 11-F, dated the 31st March 1910.
3	May	...	1st	...	Indent for envelopes.	Year ending October.	Forest Manager, Bihar and Orissa.	Bihar and Orissa Government Financial, Department, No. 13140-61-F, dated the 2nd December 1911.

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.
	Month.	Date on or by				
1	2	3	4	5	6	7
			Yearly—contd.			
4	May	15th	Detailed statement of Permanent Establishment.	As on 1st April.	Accountant-General.	Accountant-General's Circular No. 30, dated the 26th July 1915 and Article 55, Civil Account Code.
5	June	1st	Confidential report on Imperial Forest Officers of 15 years' service and over.		Revenue Secretary.	Bihar and Orissa Government Order No. 788-R. B. 111F23, dated the 6th June 1913.
6	Do.	1st	Return of expenditure on Stores purchased in India.	Financial year.	Financial Secretary.	Government orders Nos. 2126, dated the 4th June 1892 and 12033-F., dated the 5th November 1914.
7	Do.	1st	Loss of Revenue and increase of expenditure due to famine, Form A.	Previous Financial year.	Revenue Secretary.	Bihar and Orissa Government No. 4122H, dated the 26th May 1913.
8	Do.	15th	Allotment of stationery.	Year ending August.	Divisional Officers.	Bengal Government No. 471-T. Mife of 20th May 1911.
9	Do.	15th	Capital and Revenue Accounts of Forest Residential houses.	Financial year.	Superintending Engineers concerned.	Bihar and Orissa Government, Revenue Department, No. 7125H, dated 28th October 1913.
10	Do.	25th	Indent for European Stores.	Next Financial year.	Revenue Secretary.	Government Circular No. 37, dated the 16th September 1908.
11	July	1st	Forecast of European Stores.	Do.	Financial Secretary.	...
12	Do.	1st	Indent for Register forms.	Year ending August.	Forwards Manager, Bihar and Orissa.	Bihar and Orissa Government, Financial Department, No. 15440-61-F., dated the 2nd December 1914.

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom	Authority.
	Month.	Date on or by				
1	2	3	4	5	6	7
			Yearly—contd.			
13	July	1st	Indent for Draft and Letter Forms.	Year ending August.	Forms Manager, Bihar and Orissa	Bihar and Orissa Government, Financial Department, No. 18420-61F., dated the 2nd December 1914
14	Do.	1st	Notification Forms.	Do.	Do.	
15	Do.	1st	Indent for Medicines.	Forest year.	Inspector-General of Civil Hospitals	
16	Do.	10th	Details of any Botanical specimens collected and details of any experimental work in connection with Forest Botany.	Do.	Forest Botanist.	Forest Botany's Circular No. 685-14, dated the 11th September 1911.
17	Do.	25th	Indent for F. D. Code forms.	Do.	Contractor, Government Stock Forms.	
18	Do.	31st	List of Forest Publications and List of Specimens.		President, Forest Research Institute and College, Dehra Dun.	Inspector-General of Forests' Circular No. 9-9008, dated the 21st October 1908.
19	August	1st	Indent for Stationery.	Year ending August	Controller of Stationery.	Stationery Manual, and Bihar and Orissa, Financial Department, No. 2026-F., dated the 15th July 1912.
20	Do.	1st	Indent for Statement Forms.	Year ending January.	Forms Manager, Bihar and Orissa.	Bihar and Orissa, Financial Department, No. 18440-61-F., dated the 2nd December 1914.
21	Do.	1st	Return of immovable property held by Gasetted Officers.	Financial year.	Revenue Secretary.	Government order No. 8884, dated the 29th August 1902.

No.	Date of receipt.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.	
	Month.	Date on or by					
1	2	3	4	5	6	7	
22	August ..	15th	...	Trav'ly—could. Indent for Miscellaneous Forms.	15th February to 15th February following.	Forms Manager, Bihar and Orissa.	Bihar and Orissa Government, Financial Department, No. 13410-61F, dated the 2nd December 1911.
23	September	1st	...	Indent for Accountant-General's Form.	Year ending February.	Do.	Ditto.
24	Do. ...	1st	..	Indt. of Major Works.	Year following next year.	Revenue Secretary.	Bihar and Orissa Government, Financial Department, No. 10845-11012-F, dated the 21st August 1915.
25	Do. ...	1st	.	Manuscript Report on the Administration of Forest Department.	For next year	Superintendent, Government Press, Bihar and Orissa.	Bihar and Orissa Government No. 2007-11B, dated the 27th April 1915.
26	Do. ..	14th	..	Proof of Forest Administration Report.	Do. .	Revenue Secretary.	Ditto.
27	Do. ...	20th	.	Corrected Proof of Forest Administration Report.	Do.	Superintendent, Government Press, Bihar and Orissa.	Ditto.
28	October ...	1st	...	Forest Administration Report.	Do. ..	Revenue Secretary.	Forest Department Code (7th Edition), 77.
29	Do. ...	As soon as received from Press,		Do. ...	Do.	Inspector-General of Forests, Director-General of Commercial Intelligence, Forest Map office and Editor, Indian Forester.	Ditto.

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.
	Month.	Date on or by				
1	2	3	4	5	6	7
			Yearly—concl'd.			
30	October ...	1st ..	Budget Estimate	Financial year.	Financial Secretary and Accountant-General.	Forest Department Code (7th Edition), 78.
31	December	1st	Loss of Revenue and increase of Expenditure due to famine, Form B.	Current Financial year and following year.	Revenue Secretary	Bihar and Orissa Government, No. <u>IIF-1</u> , dated the 26th May 1913.
32	Do. ...	1st ...	Statement showing homes and relations of Clerks in Conservator's Office	...	Revenue Secretary.	Bihar and Orissa Government, No. <u>779-R</u> , <u>IIF-160</u> , dated the 24th November 1913.
33	Do. ...	1st ...	Statement showing names of Conservators desirous of proceeding on leave	1st February to 31st July following.	Do ...	Bihar and Orissa Government, Revenue Department, No. <u>824-R</u> , <u>IIIF-153</u> dated the 5th November 1914.
			Quinquennial.			
1	June ...	15th ..	Quinquennial accounts of Forest Estates	For year ending 1915-16 and so on.	Do.	
2	October ...	1st ...	Quinquennial summary of Forest Administration.	For year 1913-14, and so on.	Do. ..	Article 79, F. I. D. Code (7th Edition) and India Government Circular No. <u>IF-31-1</u> , dated 17th January 1912. Bengal Government order No. 571, dated the 7th February 1912.

85. The following Statement shows the date of posting of accounts and other returns by Officers in charge of Forest Divisions:—

The necessity of abiding by the dates fixed should be imposed upon the staff of each office, and Divisional Officers will, therefore, take such steps as will ensure the submission of all returns, etc., to them in such time as to enable them to inspect and forward the returns on due dates.

Reports and Returns due from the Divisional Forest Office.

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.
	Month.	Date on or by				
1	2	3	4	5	6	7
			<i>Fortnightly.</i>			
1	Fortnightly	1st	Diary	Fortnight ending 30th.	Conservator through District Officer.	Circular No. 62-M., dated the 16th October 1891.
2	Do. ...	16th	Do. ...	Fortnight ending 15th.	Do. .	Ditto.
			<i>Monthly.</i>			
1	Monthly	1st	Abstract of important correspondence between Divisional Forest Officer and District Officers.	Calendar month.	Conservator	Circular No. 92-M., dated the 16th October 1891.
2	Do. ...	5th	Form No. 60-O, C. A. Code, with vouchers.	Do.	Accountant-General (through Conservator).	Civil Account Code, Art. 418-A, paragraph 50.
3	Do. ...	5th	Forms Nos. 2, 3, 4 5 and 6, 12 of Manual and 60, P. (C. A. Code.) Savings Statement Form No. 25.	Do.	Conservator	Ditto and Circular No. 23, dated the 19th April 1909.
4	Do. ...	5th	Monthly Cash Accounts (Forms 60-I, and 60-P, C. A. Code, with vouchers, and Form 60-Q, C. A. Code, with consolidated Treasury Receipt.	Do. ...	Accountant-General.	Civil Account Code, Art. 418-A, paragraph 48.
5	Do. ...	5th	Absentee Statement. (C. A. Code Form No. 7.)	Do. ...	Do. ...	Civil Account Code, 60-A, and Circular No. 10-270, dated the 27th July 1915.

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.
	Month.	Date on or by				
1	2	3	4	5	6	7
			<i>Monthly—consolid.</i>			
6	Monthly...	Last day of month.	Register of Cheques and Cash Balance Report (Form No. 60-F, and 60-G, C. A. Code).	Calendar month.	Conservator and Accountant-General.	Civil Account Code, Art. 448-A, at paragraphs 29 and 18.
7	Do. ...	Within a week of receipt.	Reply to Accountant General's objection statement (Form No. 60-S, or 67-T, C. A. Code).	Do. ...	Accountant-General, through Conservator.	Civil Account Code, Art. 448A, paragraph 55.
8	Do. ..	Do. ...	Reply to Conservator's objection statement (Form No. 60-S, C. A. Code).	Do. ...	Conservator.	Civil Account Code, Art. 448-A, paragraph 55.
9	Only on occurrence of death.		Return of deaths of European officers.	Do. ...	Do. ...	Circular No. 181-279, dated the 20th February 1914.
			<i>Quarterly.</i>			
1	March ...	1st ...	Application for Letters of Credit (Form No. 60-C, C. A. Code).	First quarter of Financial year.	Do. ...	Civil Account Code, Art. 448A, paragraph 24 (c).
2	June ...	1st ...		Second quarter of Financial year.		
3	September	1st ..		Third quarter of Financial year.		
4	December	1st ...		Fourth quarter of Financial year.		
			<i>Half-yearly.</i>			
1	January...	15th ...	List of non-Bukari appointments.	Half-year ending December	Do. ...	Circular No. 19-83, dated the 10th July 1912.
2	February...	15th ...	First Half-yearly Departmental examination of Forest Officers.	...	Do. ...	Circular No. 21-82, dated the 22nd November 1915.
3	June ...	15th ...	Changes in Classified List of Gazetted Officers and Subordinates.	As on 15th June.	Do. ...	Circular No. 171-456, dated the 11th July 1911.

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.
	Month.	Date on or by.				
1	2	3	4	5	6	7
4	June ...	23rd ...	Half-yearly— consolid. Statement of superannuated Gasetted Officers.	Attaining or exceeding 55 years between following 1st October and 31st March.	Conservator	Circular No. 96-113, dated the 16th January 1915.
5	July ...	15th ...	List of non-Bihari appointments.	Half-year ending June.	Do. ...	Circular No. 19-83, dated the 10th July 1912.
6	Do. .	15th ...	Second Half-yearly Departmental examination of Forest Officers.	.	Do. ...	Circular No. 21-92, dated the 22nd November 1915.
7	December	15th ..	Changes in Classified List of Gasetted Officers and Subordinates.	As on 15th December.	Do. ...	Circular No. 171-458, dated the 11th July 1911.
8	Do. ...	23rd ..	Statement of Superannuated Gasetted Officers.	Attaining or exceeding 55 years between following 1st April and 30th September.	Do. .	Circular No. 96-118, dated the 16th January 1915.
Yearly.						
1	January ..	1st ...	Application for temporary establishment.	Year ending February.	Do.	
2	Do. ...	25th .	Statement of Revenue and Expenditure.	...	Do. ...	Circular No. 293, dated the 4th December 1907.
3	February	25th ...	Iditto ..	...	Do. ...	Circular No. 293, dated the 4th December 1907.
4	March ...	15th ...	Forecast of European Stores.	Next financial year.	Do. ...	
5	April ...	1st ...	Register of Fixed Demands.	Financial year.	Do. ...	Circular No. 24-A., dated the 10th May 1890.

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.
	Month.	Date on or by				
1	2	3	4	5	6	7
			Yearly—contd.			
6	April ..	10th	Detailed statement of Permanent Establishment (O A Code, Forms Nos. 8 and 4).	As on 1st April.	Conservator	Conservator of Forests' No. 10-270, dated the 27th July 1915, Article 55, C. A. Code.
7	Do.	15th	Indent for Envelopes.	Year ending October.	Do. ...	Rules for the supply and custody of printed forms, and Circular No. 12, dated the 15th April 1910.
8	May	1st	Return of immovable property held by Settled and such non-Settled Officers as are appointed by the Conservator.	Financial year.	Do. ..	Government of India, Home Department, Nos. 21-797-806 and 33-2405-14, dated the 13th May 1885, and 11th September 1888, respectively, F. I. D. Code (7th Edition), 8 and Conservator, Circular No. 10 ¹⁸⁷ dated the 12th August 1916.
9	Do.	1st	List of Forest publications relating either to Sylviculture or Economic products.	Forest year	Do. ...	Circular No. 200, dated the 10th August 1906.
10	Do.	1st	Increase of expenditure due to famine, Form A.	Previous financial year.	Do. .	Circular No. 82-195, dated the 5th June 1913.
11	Do. ..	15th	Indent for medicines.	Forest year	Do. ...	Circular No. 145, dated the 30th July 1901.
12	Do. ..	15th	Return of expenditure on Stores purchased in India.	Financial year.	Do. ...	Circular No. 81-150, dated the 14th December 1914.
13	Do.	15th	Value forecast of Stationery.	Year ending August.	Do. ...	Circular No. 80-135, dated the 20th August 1912.
14	June ...	1st	Indent for F. D. Code forms.	Year ending May.	Do.	
15	Do. ...	1st	Indent for European Stores.	Next financial year	Do.	

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.
	Month	Date on or by				
1	2	3	4	5	6	7
			Yearly—contd.			
16	June	1st	Indent for Adopted Forms.	Calendar year.	Conservator	Rules for the supply and custody of printed forms, and Circular No. 19-58, dated the 4th October 1915.
17	Do.	10th	Annual Plan of Operations.	Forest year	Do.	Forest Department Code (7th Edition), 47, and Revenue Department, No. 111F-102, dated the 6th July 1915.
18	July	1st	Indent for Stationery.	Year ending August.	Do.	Stationery Manual.
19	Do.	1st	Confidential Reports on Gazetted Officers and Subordinates.	Forest year	Do.	Circular No. 51-E., dated the 8th July 1893, modified by Circulars Nos. 171-456, dated the 11th June 1911, and 80-77, dated the 30th May 1913.
20	Do.	1st	Indent for non-Standard Forms.	Year ending January.	Do.	Rules for the supply and custody of printed forms, and Circular No. 19-58, dated the 4th October 1915.
21	Do.	1st	Returns of Stores, Tools and Plant (Form No. 11).	As on 1st July.	Do.	Rule 14 of Manual.
22	Do.	1st	List of 2nd grade Foresters fit for promotion.	...	Do.	Circular No. 175-97, dated the 12th July 1911.
23	Do.	1st	Details of any Botanical specimens collected and details of any experimental work in connection with Forest Botany.	Forest year	Conservator of Forests.	Conservator's No. 2138-41, dated the 21st June 1916.
24	August	1st	Annual Reports and Returns.	Do.	Do.	Forest Department Code (7th Edition), 76.

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.
	Month.	Date on or by				
1	2	3	4	5	6	7
			Yearly—consolid.			
25	August ...	1st ...	New entries in the Register of Reserve and Protected Forests.	Year ending July.	Conservator	Forest Department Code (7th Edition), 44 (iv).
26	Do. ...	1st ..	Report of Stock-taking.	...	Do. ...	Rule 9 of Manual and Circular No. 93, dated the 4th August 1899.
27	Do. ...	1st ...	Annual Appropriation Report.	Financial year.	Do.	—
28	Do. ...	1st ...	Takari advance	...	Do. ..	Board of Revenue letter No. 2801, dated the 8th November 1910.
29	Do. ...	1st ...	Indent for Treasury (Accountant-General, Bihar and Orissa) Forms.	Year ending February.	Do. ...	Rules for the supply and custody of printed forms, and Circular No. 1953, dated the 4th October 1915.
30	Do. ...	5th ...	Control Forms	Forest year	Do. ...	Forest Department Code (7th Edition), 57.
31	Do. ...	15th ...	Lists of major works.	...	Do. ...	Circular No. 2169-75-431, dated the 11th September 1915.
32	September	1st ...	Budget Estimates.	Financial year.	Do. ..	Forest Department Code 7th Edition, 73
33	Do. ...	15th ...	Kurseong School nominations.	...	Do. ...	Circular No. 153 dated the 6th January 1903.
34	November	1st ...	Increase of expenditure due to famine, Form B.	Current financial year and following year.	Do. ...	Circular No. 82-193, dated the 5th June 1913
35	December	22nd ...	Report regarding the award of chevrons.	...	Do. ...	Circular No. 140-M, dated the 9th December 1902.
36	Do. ...	25th ...	Statement of Revenue and Expenditure.	...	Do. ...	Circular No. 293, dated the 4th December 1907.

No.	Date of posting.		Nature of Reports and Returns.	Period covered by Report or Return.	To whom.	Authority.
	Month.	Date on or by				
1	2	3	4	5	6	7
			Quinquennial.			
1	May ...	15th ...	Quinquennial Accounts of Porahat Estate Forests.	For year ending 1915-16, and so on.	Conservator	For Singhbhum only.
2	August ...	1st ...	Quinquennial summary of Forest Administration.	For 1913-14, and so on.	Do. ...	Government of India Circular No. IF-31-1, dated the 17th January 1912, and Article 79, F. D. Code (7th Edition).
3	On completion of 5 years' measurement.		Measurement of Sample Plot trees.	...	Do. and Imperial Sylviculturist.	Circular No. 71, dated the 8th June 1910 and Circular No. 1600-6-375, dated the 8th August 1915.

86. Agreements made with Forest Department which are exempt from duty payable under Stamp Act.

Extract from Government of India No. 3618-En., dated 7th July 1909.

Agreement and security bond required to be executed under the rules to regulate the training and appointment in the Subordinate Forest Service by a student and his surety previous to entry into the Imperial Forest School, Dehra Dun.

Instruments in the nature of a conveyance by the Government of standing trees in a Government forest.

87. The following powers have been delegated :—

I.—Powers delegated under the Forest Department Code.

(i) TO CONSERVATOR THE POWERS—

1. To distribute the total amounts sanctioned for the pay of the Subordinate service and Office Establishments, to transfer appointments in the Subordinate Forest Service between divisions and to transfer appointments in the clerical line between divisions other than the Direction Division. (a)

2. To sanction temporary establishments as required, from time to time, within the limits of the annual Budget allotment and subject to the restriction regarding class of establishment and their rates of pay. (See Rule 181). (b)

3. To appoint, promote, or accept the resignation of, Rangers, Deputy Rangers, Foresters, and Forest Guards. (c)

4. To post and transfer within the Province members of the Imperial, Provincial, and Subordinate Forest Services. (d)

5. To grant leave to members of the Subordinate Forest and Clerical establishments as well as to appoint, promote and transfer the latter. (e)

6. To grant privilege leave up to three months to all Gazetted Forest Officers subordinate to him, provided that the necessary arrangements to carry

(a) Bengal Government No. 346-T.R. of 3rd April 1907.

Bihar and Orissa Government No. 6799 of 27th August 1914.

(b) Bengal Government No. 1692-T.R. of 21st July 1908.

(c) Bengal Government No. 2574 of 5th August 1907.

Bengal Government Nos. 1463 and 2361 of 5th April 1907 and 18th July 1908.

Bihar and Orissa Government No. 4509 of 16th May 1914.

(d) Government of India Nos. 378-133-2 of 13th April 1911.

(e) Articles 69 and 71 (c) of Forest Department Code, 6th Edition.

on the absentee's duties can be made by him without reference to Government, and provided no enhancement of the pay of any officer deputed to carry on such duties is involved. (The Audit Officer's report on the application for leave will be sent direct to the Conservator, and the order notifying the leave which will be sent direct to the Superintendent of Government Printing will appear over the Conservator's name in the *Bihar and Orissa Gazette*). (f)

7. To make free grants of forest-produce up to a limit of Rs. 1,000 in each case. (a)

8. To write-off stores up to a limit of Rs. 1,000 in each case. (b)

9. To sanction refunds of revenue not exceeding Rs. 1,000 in each case. (c)

10. To re-appropriate funds from one Budget sub-head to another provided that (d) :—

(1) Savings under "salaries" shall not be re-appropriated to other classes of expenditure.

(2) Savings on non-recurring expenditure under "Supplies and Services", "Contingencies" and other detailed heads shall not be re-appropriated in order to provide for additional recurring expenditure.

(ii) TO DIVISIONAL FOREST OFFICERS THE POWERS—

1. To make officiating and permanent appointments to the class of Forester. (e)

2. To promote Forest Guards to the class of Forester and to promote Foresters from grade to grade. (e)

3. To accept the resignation of Foresters. (f)

4. To appoint, promote, accept the resignation of, reduce and dismiss members of office establishments up to and including men on Rs. 30 per mensem, and, if drawing Rs. 700 or more, to accept the resignation of any member of the Subordinate Forest Service. (g)

5. To grant leave to Forest Subordinates below the rank of Deputy Ranger and to clerks on Rs. 30 per mensem and less, provided no extra expenditure is incurred or the transfer of a subordinate from another division involved (h)

(a) Bihar and Orissa Government No. 8604-B of 27th December 1913.

(b) Article 62 (c), Forest Department Code, 7th Edition.

(c) Bengal Government No. 3213 of 4th September 1907.

(d) Bengal Government No. 346-T.R. of 3rd April 1907 and Bihar and Orissa Government No. 890-F. of 11th January 1915.

(e) Bengal Government No. 1158-T.R. of 6th July 1911.

(f) Bengal Government No. 657-T.R. of 1st June 1911.

(g) Bengal Government No. 1158-T.R. of 6th July 1911.

(h) Bengal Government Nos. 2945 and 3213 of 23rd November 1906 and 4th September 1907, respectively.

6. To grant privilege leave up to three months to Rangers and Deputy Rangers. (a)

7. To post and transfer within the limits of their Divisions all members of the Subordinate Forest Service under their orders. (b)

8. To make free grants of forest produce up to a limit of Rs. 50 and, if drawing Rs. 700 or more, of Rs. 250 in each case. (c)

9. To write-off irrecoverable revenue up to Rs. 10; and, if drawing Rs. 700 or more, Rs. 25 in each case. (d)

10. To write-off stores up to a value of Rs. 50; and, if drawing Rs. 700 or more, up to Rs. 250 in each case. (d)

11. To refund revenue up to a limit of Rs. 50; and, if drawing Rs. 700 or more, up to Rs. 200 in each case. (d)

12. To sanction payment of ordinary expenditure as defined in Article 67, Forest Department Code, provided that the Budget allotments are in no case exceeded. (e)

13. To sanction, in the case of officers drawing not less than Rs. 700, the purchase of stores, tools and plant, subject to a maximum of Rs. 500 in each case, and other items of expenditure (excluding live-stock, furniture, and tents), up to Rs. 1,000. (e)

14. To incur extraordinary expenditure up to Rs. 200 for each item under the heads enumerated in Article 70(i) of Forest Department Code. (f)

15. To incur expenditure up to a limit of Rs. 100 in payment of pleaders' fees in each case in criminal prosecutions, subject to conditions prescribed in Rule 117. (d)

II.—Powers delegated otherwise than under the Forest Department Code.

(i) To CONSERVATOR—

1. To appoint one officer to hold substantively as a temporary measure, or to officiate in two or more independent appointments at one time, and to regulate the allowances within prescribed limits—*vide* Article 168, Civil Service Regulations. (g)

(a) Bengal Government No. 6571-R. of 1st June 1911.

(b) Delegated under Article 66 of the Forest Department Code, 6th Edition, and Conservator's Circular No. 1—75, dated the 24th April 1912.

(c) Bihar and Orissa Government No. 8604-R. of 27th December 1913.

(d) Bengal Government Nos. 2945 and 3313 of 23rd November 1906 and 4th September 1907, respectively.

(e) Bihar and Orissa Government No. 4509 of 16th May 1914.

(f) Article 70(i) of the Forest Department Code.

(g) Bengal Government No. 3-T.F. of 26th April 1910.

2. Under Article 95, Civil Service Regulations, to assign to an officer placed in charge of the current duties of an office a charge allowance less than the amount admissible; and, on the other hand, if he thinks the amount too small, may grant him for specially recorded reasons the full acting allowance subject to the limitation specified therein. (a)

3. To purchase articles of European manufacture [except those which should be indented for from the Stationery Office as required by Article 98 (f) and (t) of the Civil Account Code], the cost of each of which should not exceed Rs. 250. (b)

4. To condone overstaying of leave and interruptions of duty as defined in Articles 230, 253 and 254 of the Civil Service Regulations. (c)

5. To grant extensions of service to non-gazetted officers on attaining the age of 55 and up to 60 years of age, for one year at a time, and to compel such officers to retire between the aforesaid ages. (d)

6. To investigate claims to arrears of pay or allowances or increments which have been allowed to remain in abeyance for a period not exceeding two years. (e)

7. To sanction expenditure under Article 193 (b), Civil Service Regulations, in cases where the extra cost involved does not exceed Rs. 250 and the period under which an officer has remained unemployed through suspension or dismissal does not exceed six months. (f)

8. To grant the local allowance attached to an office to an officer placed in charge of the current duties of that office. (Article 166, Civil Service Regulations.) (g)

9. To transfer payment of pensions from one Treasury in India to another and to sanction payment of arrears. (h)

NOTE.—The medical certificate of incapacity should be signed by the Medical Officer in charge of a Civil Station.

(a) Bengal Government No. 2-T. F. of 26th April 1910.

(b) Bengal Government No. 16-T. G. of 4th November 1908.

(c) Bengal Government No. 55-F. of 26th November 1908.

(d) Bengal Government Nos. 10A. and 1A. of 10th August 1890 and 14th February 1895.

(e) Bengal Government No. 34-T. of 14th September 1910.

(f) Bengal Government No. 2950 of 16th July 1908.

(g) Bengal Government No. 3-T.F. of 26th April 1910.

(h) Bengal Government No. 4-T. F. of 5th May 1908.

10. To condone breaks in service and deficiencies, viz., in the case of breaks up to two months under Article 422 (i) and in that of deficiencies up to six months under Article 422 (ii), Civil Service Regulations. (a)

11. In all cases in which leave allowances have been irregularly drawn by applicants for pension, it is left to the Accounts Officer to refer the question of the recovery of over-payments to the Conservator (Article 841, Civil Account Code). If both officers agree that recovery should be made, the decision will be given effect to by the Account Officer; if the Conservator, however, does not agree, he is empowered to remit the demand without the restriction to a limit of three months' pay. But, if he is of the opinion that a remission should be allowed in excess of three months' pay, the matter should be referred to the Local Government for orders. (b)

12. (1) To grant travelling allowance to non-gazetted subordinates substantive or temporary, for the journey to join a first appointment in the public service, the rates admissible being that of the class to which the appointment which the officer proceeds to join belongs. (c)

(2) To sanction travelling allowance to inferior servants on transfer beyond the division in which they are employed. (c)

(3) To delegate at his discretion to all Divisional Forest Officers the power to countersign the travelling allowance bills of all members of the executive, protective, and office staff serving under them. (c)

13. To sanction the following under Article 1000, Civil Service Regulations (d) :—

(a) Twenty maunds and the carriage of two horses or a bicycle to all Divisional Forest Officers in charge of divisions;

(b) Ten maunds and one horse to all attached officers; and

(c) In his own case 20 maunds and two horses, but the Local Government prefer that prior sanction should be obtained, *vide* their letter No. 1311-F., dated 2nd February 1914.

14. To grant exemption to a pensioner, under Article 945, Civil Service Regulations, from appearing in person at the time of drawing his pension. (e)

(a) Bengal Government No. 45-F. of 22nd September 1908.

(b) Bengal Government No. 9 F. of 24th February 1910.

(c) Bengal Government Nos. 3-T. and 36-T. of 26th April 1910 and 24th April 1895 and No. 741-T. of 8th June 1911.

(d) Bengal Government No. 1520-T. of 25th June 1904.

(e) Bihar and Orissa Government No. 4338-F., dated the 27th March 1915.

15. To grant the local allowance attached to an office to an officer placed in charge of the current duties of that office. (a)

16. (1) Under Article 1056, Civil Service Regulations, in exceptional cases and for special and valid reasons, to exempt officers subordinate to him only from the operation of the rule up to a limit of thirty days, subject to the following conditions (b) :—

(a) That prolonged halts are necessary in the interests of the public service; and

(b) That such halts necessitate the maintenance of camp equipage, or, where no camp equipage is maintained, entail extra expense after the first ten days.

(c) To allow an officer compelled under certain emergencies to leave his camp and proceed rapidly on duty to a place more than 20 miles distant, to draw the actual expenses of maintaining such camp, not exceeding the daily allowance in addition to the allowances admissible under Chapter LII, Civil Service Regulations, whether the camp be moved or not. (d)

17. To sanction excess or deficit fellingings. (c)

18. (i) To purchase newspapers and periodicals at Government expense and to sanction the purchase of the same by subordinate officers subject to a limit of Rs. 290 for the Circle. (d)

(ii) To order the supply of official publications published in India. (d)

(iii) To sanction the purchase of books for his office and subordinate offices within the monetary limit of Rs. 200. (d)

19. To sanction local purchases of stationery and rubber stamps up to a limit of Rs. 20 in each case, and to sanction the supply of typewriters. (c)

(a) Bengal Government No. 3-T. of 26th April 1910.

(b) Bengal Government No. 17-T. of 8th October 1909.

(c) Bengal Government No. 1501-T. of 14th September 1910.

(d) Bihar and Orissa Government No. 6101R-153, dated 5th September 1913 and No. 808-R., dated 14th February 1914 and No. ^{3174-R}₁₁₋₆₁, dated the 19th May 1916.

(e) Bengal Government Nos. 1833-F and 16-F of 26th March 1908.

20.* To request the Superintendent of Forest Surveys to prepare and print special maps, without reference to the Local Government or the Inspector-General of Forests, provided the cost does not in each case exceed Rs. 500, and also that the expenditure can be met from funds provided in the Budget, in cases in which maps are required to illustrate reports, etc. (a)

21. To execute contracts or other instruments connected with the working of the forests where the value of the property or the expenditure involved exceeds Rs. 2,000 but does not exceed Rs. 10,000. (b)

22. To sanction transfers to foreign service under the Court of Wards. (c)

23. To publish notices in the Gazette without reference to higher authority. (d)

(ii) To ALL DIVISIONAL FOREST OFFICERS THE POWER :—

1. To withhold increments of pay of ministerial and menial officers. (e)

2. To give leases for collection of forest-produce up to a value of Rs. 250 ; and, if drawing Rs. 700 or more, up to Rs. 2,000, provided the working-plan or plan of operations concerned permits of its disposal. (f)

3. To countersign travelling allowance bills of members of the executive, protective and office establishments serving under them. (g)

4. To destroy useless records under conditions laid down in Chapter I, Rule 74 of the Manual. (h)

5. To send to press for publication all advertisements relating to such posts which they can fill up. (d)

Note.—The Conservator of Forests is empowered to exercise all or any of the powers conferred on his subordinate officers in the foregoing rules.

*NOTE.—A reference to be made to the officer in charge, Bihar and Orissa Secretariat Book depot, to ascertain the number of copies required, as the distribution list is constantly changing.

(a) Bengal Government No. 2833-T. of 4th November 1909.

(b) Bengal Government No. 890-T. of 29th October 1895.

(c) Bihar and Orissa Government No. 14715-F., dated the 22nd December 1914.

(d) Bihar and Orissa Government No. 1631-F., dated the 3rd February 1915.

(e) Bengal Government No. 3213 of 4th September 1907.

(f) Bengal Government Nos. 3215 and 3218 of 23rd November 1906 and 4th September 1907.

(g) Bengal Government No. 741-T-B., dated the 8th June 1911.

(h) Bengal Government No. 1158 T. of 6th July 1911

88. Rules for the Remittance of Forest Revenue to Treasuries through Post Offices.

[Approved in Government order No. 2597-For, dated the 21st July 1893, and No. 1069-For., dated 27th February 1896.]

(1) Divisional Forest Officers should provide their Range and other Revenue-remitting Officers with ordinary inland money order forms in books with counterfoils, such as are obtainable at all post offices, and these alone should be used, all particulars of the remittance being noted on the counterfoil.

(2) The remitter should make out a money order on one of these forms, filling in the name of the most convenient post office and other particulars, and making it payable to the officer in charge of the treasury, and should send it with the cash to the post office. He should note briefly on the coupon particulars of the remittance sufficient for the Treasury Officer's information.

(3) The Treasury Officer, on receipt from the post office of the money order, will sign and date the money order and return it to the post office after cutting off the strip containing the coupon and acknowledgment. He will forward to the Divisional Forest Officer the advice list prescribed in the rules published in the notification of the 11th May 1898, together with the corresponding strips, consisting of the coupons and acknowledgments of all money orders received during the day.

(4) The entry in the remitter's accounts will be supported by the receipt given to the remitter by the post office when the money order was issued.

(5) The commission paid on money orders will be charged to sub-head of Service B III (f) in the Forest Department accounts.

(6) *Remittance of Advance.*—In remitting advances to disbursers the same procedure as that prescribed in rules (1) and (5) above should be followed; but the amount of the money order and the commission may be paid into the post office either in cash or, where the post office is at a treasury or sub-treasury station, by a cheque drawn in favour of the Postmaster on such treasury or sub-treasury. The latter course can only be adopted when the remitter has a banking account with the treasury or sub-treasury concerned.

(7) The money order will be treated by the post office as an ordinary inland money order, and acknowledgment sent to the remitter in due course. The remitter's accounts will be supported by the acknowledgment, as well as the receipt referred to in Rule (4) above.

CHAPTER II.

Administrative Rules, Notifications and Instructions.**89. Forest Settlements.**

An Extract from a memorandum by the Inspector-General of Forests, published in Government of India Circular No. 5-P., dated the 27th April 1887.

1. Under section 3 of the Forest Act it rests with Local Governments to decide what forests and waste lands, being the property of the State, or over which the State has proprietary rights, or to the whole or any part of the forest-produce of which the State is entitled, should be constituted a Reserved Forest. There may be forests and wastes so situated as to make it impolitic to proceed with their settlement; others, again, may be burdened to such an extent by adverse rights of users that the benefits accruing to the State would not compensate for the expensive settlement prescribed by the Forest Act.

But, as a rule, it may be laid down that it is the duty of Government to secure the best possible legal title (as prescribed by the Forest Act) to the property, or to such share as it owns, in all forests and waste lands, defined in section 3 of the Act. Having this in view, District Officers should be instructed to initiate proposals for the settlement of all forest and waste lands against the reservation of which, in the opinion of the Local Government, no forcible reasons exist.

These proposals by the District Officers must, naturally, be of a general character only. They will simply specify the limits of the land in question in such a way as to fix its situation and to be readily intelligible to interested parties; they should not enter into any discussions likely to affect the future settlement, and render ineffective the provisions of section 5 of the Act.

2. Whenever a Local Government is satisfied that no special reasons exist why land, fulfilling the description in section 3 of the Act, should not be constituted a Reserve, the notification prescribed in section 4 should issue, and a Forest Settlement Officer be appointed.

3. The procedure of a Forest Settlement Officer may be considered under three separate heads, viz. :—

- (1) The procedure previous to the adjudication of claims;
- (2) The adjudication as a Civil Court;
- (3). The action taken after the adjudication of claims.

4. Under (1) the Forest Settlement Officer is required to—

(a) specify the limits of the proposed forest ; *

(b) explain the consequences which will ensue on the reservation of the forest ;

(c) fix a period during which claims may be preferred either in writing or in person.

5. Under (2) the Forest Settlement Officer, acting as a Civil Court, is required to record the substance of all statements regarding claims to rights invited under section 6. He is further required to make a similar record of any rights of which the existence is ascertained, whether from previous records or by local inquiry.

Claims can be divided into three classes—

(1) Claims to a right in, or over, land ;

(2) Claims to forest-produce, including pasture ;

(3) Claims to right-of-way or water-course.

With respect to class (3) the Forest Settlement Officer has only to satisfy himself of the existence of the ways or water-courses in question and to record them as such. Any action in regard to them is ruled by section 24 of the Act.

Referring to classes (1) and (2) the Forest Settlement Officer's first duty is to adjudicate on the evidence and facts before him, to decide whether the rights claimed are legally established or not, and to pass an order admitting or rejecting them accordingly in whole or in part. It is clearly the intention of the Act to settle these claims on their legal merits, and not with reference to any special objects which were had in view when it was proposed to constitute the forest a Reserve. Claims must be admitted or rejected within the limits to which the right has been substantiated. Local Governments should, as a rule, appoint some person, under section 18 (who may most suitably be the local Forest Officer) to attend at the inquiry, plead, and act on behalf of the State before the Forest Settlement Officer. This person will have a proper legal standing, be able to cross-examine witnesses who support claims, produce evidence to rebut claims, comment on any documents or evidence ; and if he desires to prefer an appeal against any decision, the Forest Settlement Officer should give him a certified copy of such decision. It is of vital importance that only such rights should be admitted as are legally proved to exist, and then only to the extent proved.

* A forest tract proposed to be reserved frequently includes village lands, or lands the ownership of which is at least questionable, and it has been considered inconsistent with section 5 of the Act to permit new clearings in such land. This circumstance may result in hardships or militate against reservation. The difficulty can be overcome by excluding these lands, by special mention, from the revisions of the preliminary notifications.

There is nothing in the Forest Act that justifies the Forest Settlement Officer in providing for the prospective wants of non-existing settlers, or for a future and possibly more numerous generation; nothing that permits the concession, by a Forest Settlement Officer, of more extensive rights than those which he finds to exist at the time of settlement. The rights claimed must be actually existing rights, vested in an individual or person, or in a definite body of persons, such as, for instance, a number of co-owners, or a village community. They may be rights in grass, unconnected with the ownership of immovable property (houses or land), or they may be rights attached to the ownership of such property. They may be rights enduring only for a certain period, or for the life of the person in whom they are vested, or they may be rights which will pass to the heirs of that person, or pass in perpetuity with the property to which they are attached. But they must be existing and vested in some person, or body of persons, who can claim them at the time of settlement.

If the Forest Settlement Officer is permitted to provide for the indefinite prospective wants of an indefinite prospective number of right-holders, he may be providing for the gradual absorption and final extinction of the actually existing rights of the State.

It is conceivable that a claimant might establish a right of such a nature that it would possibly, in course of time, entitle him to larger benefits from forest than he was entitled to at the time of settlement. For instance, he might show that he was entitled to pasture for all cattle employed by him in the cultivation of his land, and he might be in possession of extensive waste land, which he was gradually bringing under cultivation—a process which, of necessity, would tend to increase the number of his cattle. Here the Forest Settlement Officer, though dealing only with “actually existing rights,” would also have to take into account “prospective wants”.

In such a case, which could probably only arise when the right in question had been specially conferred by the terms of a former grant, revenue settlement, or sanad, it would seem reasonable to admit the same within a maximum, which should be determined with reference to the rights actually enjoyed by the claimant at the time of making the record, and with due regard to the potential capabilities of the forest.

A prescriptive right, to exist at all, must be proved to have been regularly exercised in the past; and in no case can a prescriptive right over any forest be held to have been acquired by the continuous purchase of its produce from the owner, the element of adverse enjoyment and of enjoyment as of right on which prescription rests being wholly wanting.

- In regard to rights of class (1), admitted in whole or in part, three courses are open to the Forest Settlement Officer, and these are clearly stated in section 10 of the Act.

With regard to rights of class (2), similarly dealt with under section 11, the Forest Settlement Officer is to record, in the manner prescribed in section 12, his decision in all cases, whether in favour of the claimant or otherwise; and it would probably be found convenient if the Settlement Officer briefly entered an epitome of the grounds for his decision, the evidence and finding being, as a matter of course, duly recorded at length in the judicial proceedings. Providing for this and other details of procedure within the provisions of the Act, as explained in this Memorandum, the Local Governments may also make rules, under section 75 (d) of the Act, similar to those issued by the Government of Madras under section 63 (b) of Act V of 1882.

Section 13 of the Act provides for a complete record of the extent of such rights as have been admitted, and of the limits within which claims have been established. The preparation of this record brings to a close the duties of the Forest Settlement Officer when proceeding as a Civil Court.

6. The Forest Settlement Officer should now proceed, with due regard for the maintenance of the forest, to arrange for the continued exercise of the rights to the extent admitted.

Under section 14 he is at liberty to adopt one of three courses:—

- (a) Transfer the burden of the right to some other conveniently situated and available forest;
- (b) Alter the proposed boundaries, so as to exclude an area of forest sufficient for the exercise of the rights admitted, and convenient for the purpose;
- (c) Record an order continuing the exercise of the right to the extent admitted, at such seasons, in such portions of the forest, under such rules as may from time to time be prescribed by the Local Government.

It is evident that this section is only intended to regulate the legally admitted rights, and gives no power to alter or extend such rights.

If the Settlement Officer acts under (a) or (b), the section explains clearly enough what course he should follow.

Under (e), the Forest Settlement Officer must record an order declaring that the claimants of the admitted rights may continue to exercise the rights to the extent admitted, (a) at such seasons; (b) within such portions of the proposed forest; and (c) subject to such rules as may, from time to time, be prescribed by the Local Government.

The rules that are here referred to must not substantially detract from the rights of either the claimant or the State. Such rules are not intended to define the legal status of rights claimed, but only to control the exercise of rights admitted: for the power to make such rules is limited, and does not extend to fixing the number of cattle which a right-holder may send into the forest, or the amount of produce he may extract. An order admitting a claim to rights of pasture or forest-produce cannot therefore, be limited or extended by any declaration in rules framed under section 14 (e) of the Forest Act.

The rules might be such as to require, e.g., cattle to be marked, to wear bells, or produce to be removed by certain roads.

In cases where the right admitted and recorded is of such a nature, that it would, in course of time, entitle the right-holder to larger benefits from the forest than he enjoyed at the time of settlement, a maximum should be fixed in such a way as to render substantial justice to the claimants and to the State, having due regard for the well-being of the forest.

E.g., for a few years immediately preceding settlement the cattle of a village may have been considerably reduced by disease or other causes. It is, in this case, obviously desirable to fix a maximum number of cattle in excess of what exist. Similarly, a village, owing to dacoities has been reduced by the emigration of some of its inhabitants, who, in more settled times, may be expected to return. In such a case it may be necessary to fix the bamboos, etc., at a quantity in excess of actual present requirements.

Section 15 provides that if a Reserved Forest cannot be maintained as a forest side by side with the continued exercise of such rights as have been admitted over it, the Forest Settlement Officer may commute such rights as render a proper treatment of the forest impossible, either by cash payment or by the grant of land, or in such other way as he thinks fit. The Local Government may make rules in reference to this question which may prescribe the basis upon which money compensation may be assessed, or land be given in exchange (Madras Government Notification G. O. No. 970, dated 27th August 1884, paragraphs 12 and 13).

7. It is, without doubt, desirable that a professional Forest Officer should be associated with the Forest Settlement Officer to assist and advise as to the action the latter may wish to take under sections 14 and 15. The question whether a forest can be maintained or not under exercise of certain rights, and whether section 14 or section 15 is applicable to the case in point, is one demanding practical experience and professional knowledge; and the advice of the Forest Officer, besides being useful as a means of pointing out what it is practicable to effect with due regard to the maintenance of the forest should also prove of material assistance in arranging for a settlement of all claims on a simple and stable basis.

The Forest Officer may be usefully consulted in the final selection of boundaries.

8. This brings the work of the Forest Settlement Officer under the Act to a conclusion, and, subject to any orders passed on appeal, secures, once for all, the sound legal status of the Reserved Forest in question.

9. The management of the forest, with the legal obligations imposed at the time of settlement as a first charge upon it, should now be left to the provisions of a Working-plan, drawn up by a professional Forest Officer after full examination of the capabilities of the forest and the demands, local or other, which it can supply, and with careful regard to the orders and rules of the Local Government under section 14, clause (c).

10. Appellate Courts can only decide on the same lines as those upon which the Forest Settlement Officer had originally passed judgment, and the Local Government, when revising such procedure under section 17 should be guided by the same principles.

11. At this stage, it becomes the duty of the Local Government to publish the final notification declaring the forest to be reserved. Such notification must specify definitely the limits of the forest *according to boundary marks*. As this is intended as a safeguard against encroachments, the boundary statement should be sufficiently accurate to meet this purpose. A mere enumeration of adjacent lands does not fulfil the requirements of the Act.

12. Under section 21, the Local Government may, within five years, revise any arrangement, rescind or modify any order, under sections 14 and 17 including any orders of revision passed by them under the latter section, provided such arrangements or orders are replaced by some other of the proceedings possible under section 24 or 25. No new rights can be admitted under this section.

18. Under section 22 no right of any description can be acquired in or over a Reserved Forest, except by succession or under a grant or contract in writing made by or on behalf of the Government, or of some person in whom such right was vested when the notification under section 10 was issued.

90. Further Instructions issued by the Government of Bihar and Orissa,

To ensure correct procedure in the matter of Forest Settlement, the following further instructions have been approved by the Local Government :—

(a) With reference to the provisions of section 6 of the Forest Act, the Forest Settlement Officer should take steps for the publication of a proclamation in Form No. 39. A translation in the vernacular of the proclamation as filled up for each proposed reserve should be printed for issue. The Forest Settlement Officer is responsible for the sufficiency of the publication of the proclamation. With this object he should consult the Collector in any case in which he is in doubt as to the method or places of publication. The action taken by the Forest Settlement Officer in regard to the publication of the proclamation must be fully recorded in his proceedings.

(b) In accordance with section 7 of the Forest Act, the Forest Settlement Officer should record all claims made and all rights ascertained. The procedure differs in the case of claims relating to the privilege of practising shifting cultivation and other claims which relate to rights. Claims to the privilege of practising shifting cultivation should be recorded in Form No. 40 which will form a complete record of the proceedings. The claims to rights should be recorded in Form No. 41, which provides for a concise record of the proceedings under the settlement and appeal.

(c) The Forest Settlement Officer, in order to complete his proceedings, has to prepare a short report and a map of the proposed reserved forest showing the original boundaries and the modifications made to them (if any) during the settlement. He should also prepare a draft notification in Form No. 42 for publication under section 19 of the Forest Act.

(d) The Forest Settlement Officer, before submitting his proceedings to the officer appointed to hear appeals, should show the proceedings to the Collector and to the Divisional Forest Officer, who should, after perusing the record, note stating that they agreed with the manner in which rights have been provided for, or stating their objections.

(e) The following papers will be forwarded by the Forest Settlement Officer to the officer appointed to hear appeals :—

- (i) A copy of the notification under section 4 of the Forest Act.
- (ii) A copy of the proclamation under section 6 of the Forest Act in Form No. 39 with a record of the manner in which it was published.
- (iii) A record of claims and the manner in which they have been dealt with in Forms Nos. 40 and 41.
- (iv) A map of the proposed reserve showing the boundary of the area notified under section 4 of the Forest Act (in red) and the boundary of the area which is finally selected for reservation (in green).
- (v) A draft notification for publication under section 19 of the Forest Act in Form No. 42.
- (vi) The Collector's and Divisional Forest Officer's note.
- (vii) The Forest Settlement Officer's report.

(f) The appellate officer will retain the papers until the period for appeal is over; he will fill in columns 7 and 8 of Form No. 41 to show what appeals (if any) were made, and how they were disposed of; and he will then forward them through the Collector, Commissioner, and Conservator of Forests to the Local Government.

(g) The proceedings of the Forest Settlement Officer, consisting of parts (i) to (vii) detailed in paragraph (e) above will be printed and copies supplied to the local officers.

N. B.—For Forms referred to, see Appendix 5 (Vol. II).

91. Boundaries.

AMENDED DESCRIPTION OF BOUNDARIES.

Cases arise in which it may be desirable to publish, by means of a fresh notification, amended descriptions of the boundaries of Forest Reserves already notified under section 19 of the Indian Forest Act or under other

Government of India's Circular No. 10-F., dated the 20th June 1898.

forest enactments. It has been ascertained that there is no legal objection to

this course, if the fresh notification merely provides for the substitution of a more exact and definite description of the boundaries for that which was originally notified, and which, though purporting to describe the boundaries as they existed at the time, has subsequently become incorrect or proved to be open to misconstruction. The appended form of notification is considered suitable for such cases, and may be employed whenever necessary. This procedure must not be held to extend to any such alteration of the boundaries on the ground as would involve either the inclusion of new areas or the exclusion of any lands which have been declared by the previous notification to be Reserved Forest. Such changes require either a new settlement of the additions it is proposed to make, or, in the case of disforestation, the previous sanction of the Government of India.*

NOTIFICATION.

With reference to Notification No. , dated
published under section of the [Indian Forest Act, 1878 (VII of 1878)]
at page of the *Government Gazette* of the
declaring the forest to be a Reserved Forest,
is pleased to direct that the following amended and more accurate description
of the boundaries of the said forest be substituted for the description con-
tained in the said notification.

92. Modification of Boundaries to be communicated to Superintendent of Forest Surveys.

Copies of all notifications issued by Local Governments constituting or modifying the boundaries of Reserved and Protected Forests, together with indicative tracings or sketch maps, should be supplied direct as soon as they are issued to the Superintendent of Forest Surveys for the purpose of enabling that officer to make the requisite additions or alterations in the corresponding maps in his office.

93. Disforestation.

In submitting proposals for disforestation to the Local Government the proposals should be in the following form and should be accompanied

* The sanction of the Government of India is not necessary now, vide amendment (XV of 1911, to section 3 of the Indian Forests Act, 1878), and the procedure indicated in Rule 93 below should be followed.

by a map and the recommendations of the Revenue and Forest authorities :—

DRAFT NOTIFICATION.

The Lieutenant-Governor in Council is hereby pleased to declare, under the provisions of section _____ of _____ that the area specified below which in Notification No. _____, dated the _____, was declared to be Reserved Forest under section _____ of that _____, shall cease to be Reserved Forest with effect from the _____ :-

SPECIFICATION OF LAND DISFORSTED.

Name of Reserve or portion of Reserve disforested.	District.	Pargana.	Manza.	Area in acres.

Boundaries.

Brief description.

Reasons for disforestation.

94. Forest Villages.

The object of establishing forest villages is to obtain a sufficient and continuous supply of labour for fire-protection and other works of improvement, and with this end in view cultivators should, as much as possible, be encouraged to form forest villages and cultivate service lands in Reserved Forests in return for labour given.

Accordingly the following points should be observed in the execution and record of Agreement Form No. 38, which has been prescribed for the purpose :—

1. A separate series should be allotted to each forest village, and a separate serial number given to the agreements executed by each villager in any one village for record in the register referred to below.

Conservator's Circular No. 25, dated the 25th April 1905.

NOTE.—Clause IV of the agreement should be cancelled except in those forms executed by village headmen.

2. A register should be maintained in each Division for entry of the following, for which separate pages should be allotted :—

- (a) Description of each village ;
- (b) Demarcation of its boundaries ;
- (c) Tracing of the area assigned ;
- (d) The number of cultivators admitted ; and
- (e) The special objects for which the establishment of village was intended to serve.

3. A sketch map, showing the blocks in which forest villages are situated should be supplied to the Conservator with the area of each and all changes in them should also be duly reported to his office for keeping his register corrected up-to-date. The information under the following heads should be given :—

Names of Forest.

- (1) Name of village.
- (2) Date when established as forest village and Conservator's sanction No.
- (3) Area in acres.
- (4) Number of houses and working men.
- (5) Area under cultivation.
- (6) Revenue paid.

4. A permit should be issued to each cultivator who enters into such an agreement on which the following details should be recorded :—

- (a) Name of cultivator and serial number ;
- (b) Name of village ; and
- (c) Area of land assigned for cultivation.

5. No new village should be started without the prior permission of the Conservator being obtained through the District Officer.

6. Progress in establishing such villages and results, if any, should be commented upon by each Divisional Officer, in Chapter V of his Annual Report.

7. The following procedure has been laid down for the grant of *takavi* advances to forest villages in need of financial assistance :—
Board of Revenue's letter No. 3801 of 8th November 1910.

- (1) Divisional Officers will ascertain and report by the first week of August in each year, for the approval of the Conservator, the probable requirements of each of the villages in his Division. The amount passed will be communicated to him in sufficient time to enable him to report to the District Officer by the first week of September the amount required (or that no provision is required) for distribution in his Division. The District Officer will thereupon include the amount with the rate of his requirements in the annual estimate for his district.
- (2) The District Officer will in due course inform the Divisional Officer of the amount placed at his disposal in the district account against which he may draw advances.
- (3) These advances should be drawn from the treasury on abstract bills, and after distribution the Divisional Officer will furnish the District Officer with a detailed bill and remit the unpaid balance, if any.

No entries will be made in the Divisional Forest Accounts.

- (4) The Divisional Officer will make periodical recoveries from his copy of the detailed bill or from an extract from the District Officer's *Takavi Register* which will be furnished to him, and shall remit the amounts recovered with proper *challans* to the District Officer, who will credit the amount into the treasury after necessary entries in his register.

NOTE.—No land in the Reserved Forest outside the limits of Forest villages shall be cultivated without the express permission of the Conservator of Forests.

95. Working-Plans.

1. It frequently happens that the sylvicultural treatment which is theoretically the best cannot be wholly applied owing to want of demand and the like, and recourse must be had to a method which is not the best but which must be adopted to satisfy the conditions. In such a case, besides dealing in the working-plan report with the method it is proposed to apply immediately, the best method from a sylvicultural point of view, i.e., best suited to the physical conditions of the forest, should also be clearly indicated and briefly discussed in the plan. Any unavoidable departure from that method should then, as far as possible, be explained and justified in detail.

In treating of the best sylvicultural method the three following subjects may be taken consecutively :—

- (a) Object sought to be attained ;
- (b) Method of treatment adopted ;
- (c) The exploitable age.

2. When the demand is not equal to the possibility of the annual coupe, light or short fellings are frequently prescribed. This principle is open to objection, as it results in some or all of the coupes containing at the end of the rotation a stock of material which should have been removed in the interests of the forest.

Even though the whole possibility of a coupe cannot be utilized, the fellings should follow each other regularly, that is to say, the cuttings of each successive year should continue those of the year preceding, for if this be done, then any balance that may remain at the end of the rotation will be comprised in one complete block instead of existing in patches scattered all over the forest. If during the course of the rotation the demand should be found to increase the existing balance can be felled and the provisions of the plan fully complied with ; while if, on the other hand, the demand does not rise sufficiently to allow the possibility to be removed, then the necessary reduction in the size of the annual coupes will be easy to carry out at a revision of the plan.

3. Works dealing with sylvicultural improvement, and lines of communication and export should be completed after the lapse of a definite period of years. They should be allotted in the plan to particular years, the allotment to be binding on the local officers unless the Conservator sanctions a deviation for reasons recorded in Forest Department Code Form No. 4. For buildings, demarcation, and minor works a general plan for a term of years may be prescribed, deviations from which would require the sanction of the Local Government, but the manner in which the details are carried out may be controlled solely by the Conservator, who will record and give reasons in Form No. 4, Forest Department Code, for any deviations from the method of procedure originally suggested which he may sanction from year to year.

4. When submitting preliminary reports for the preparation of working plans as prescribed in Article 48, Forest Department Code, Seventh Edition, a small sketch map should be attached, showing roughly the proposed working circles and any other useful information which can be conveniently included.

5. Before a working-plan is submitted to the Conservator for transmission to the Inspector-General, the Forest Officer who prepares it must invariably show it in draft to the Collector or Deputy Commissioner of the district concerned with a view to allow him an opportunity of recording his opinion on it and offering his advice.

96. Distribution List of Forest Working-Plans.

	No. of copies.
Inspector-General of Forests	9
Local Government concerned	6
Divisional Officer concerned	19
Conservator of Circle concerned	23
Conservator of Forests, Bengal (1 circle)	1
" " Bihar and Orissa	1
" " Punjab (1 circle)	1
" " United Provinces (3 circles)	3
" " Assam (2 circles)	2
" " Central Provinces (3 circles)	3
Chief Conservator of Forests, Central Provinces	1
" " United Provinces	1
" " Burma	1
Conservator of Forests, Burma (4 circles)	4
" " Madras (1 circle)	4
" " Bombay (4 circles)	4
Extra-Assistant Conservator of Forests, in charge Ajmer	1
" " " Baluchistan	1
Deputy Conservator of Forests, North-West Frontier Province	1
" " " Coorg	1
" " " Andamans	1
Librarian, Imperial Library, Metcalfe Hall, Calcutta	1
Officer in charge of the records of the Government of India, Imperial Secretariat Buildings, Calcutta	1
President, Imperial Forest Research Institute and College, Dehra Dun	2
Imperial Sylviculturist, Dehra Dun	4
Imperial Forest Economist, Dehra Dun	1
" " Botanist " " 	1
Superintendent in charge, Forest map office, Dehra Dun	1
Principal, Madras Forest College, Coimbatore	1
Total	100

97. Fire Reports.

RULES REGARDING THE SUBMISSION OF REPORTS ON FIRES IN STATE FORESTS.

1. When any fire affecting an area of 10 acres or more in extent occurs in any Forest, the Divisional Forest Officer will, on receipt of a report from the Range Officer, or if he is himself present, at once send a preliminary report of the occurrence to the Conservator of Forests in the usual form (Form No. 53) unless he has reason to suppose that he can submit a full report within ten days.

Conservator's Circular Nos. 128, dated the 19th July 1904 and 2-152, dated 21st April 1915.

2. The first report on a forest fire need only give the locality, date of outbreak, measures taken to extinguish the fire, and ascertain the cause and the approximate date by which a full report can be expected to follow.

3. A full report supplementing and revising the information given in the preliminary report should be submitted as soon as possible. The full report need not be delayed pending the result of prosecutions or lengthy investigations which should be dealt with when complete. No further report is necessary when the preliminary report contains all the information available.

4. The occurrence of a fire affecting an area of less than 10 acres need not be reported, unless the occurrence is of exceptional interest, but it should, of course, be entered in the Divisional Register of Fires.

5. The record should show whether the Forest is Reserved, Protected, or Unclassed, and whether the area is "specially protected" or "unprotected", and, if the fire has been a serious one, should be accompanied by a map.

6. Forest subordinates who have been concerned in firing unintentionally, extinguishing or obtaining labour to extinguish fires, should be mentioned by name as well as official designation in the report.

7. Areas entered in full reports should be expressed in acres only, omitting fractions.

8. When offenders concerned in fire cases are detected they should ordinarily be prosecuted. But in very exceptional circumstances it may be desirable to compound such cases or let the offenders off with warnings, and in such circumstances cases may be so disposed of, provided the District Officer approves and any compensation fixed is realized by the Divisional Officer or by a subordinate who is competent to compound cases. As a rule, when it is not desirable to prosecute, warning

offenders is preferable to compounding, due precaution being, of course, taken to make the offenders understand that they are being leniently dealt with, and the circumstances of all cases disposed of by warning or compounding should be reported to the Conservator.

98. Quinquennial Reports and Maps to illustrate the same.

Forest maps are to be appended to all Provincial Forest Administration Reports once in every five years, with effect from the quinquennial period commencing with the year 1898-99. Similarly every fifth year the Conservator's letter covering the annual report will give a short résumé of progress made in forest administration during the preceding five years.

Inspector-General of Forests' Circular No. 1010, dated the 8th November 1897.

99. Seeding of Bamboos, etc.

Whenever a seeding year (which should be watched for) of any species save the commonest* occurs, at least 10 lbs. of the seed should be collected, and intimation of this having been done sent to the Inspector-General of Forests, who will advise the Conservator concerned how to dispose of the seed, and, if necessary, give instructions for the collection of a further quantity.

* *Dendrocalamus strictus* and *Hamiltonia* and *Bambusa arundinacea*.

Government of India No. 261-F, dated the 1st March 1899.⁷⁴¹

Inspector-General of Forests' Circular No. 29, dated 31st October 1893.

The occurrence of a good seed year of any of the more important kinds of trees or bamboos in every Forest Division should be reported to the Editor of the *Indian Forester*.

100. Collection of edible Forest-Produce.

Unless absolutely necessary in the interests of fire-conservancy and the general protection and improvement of the forests, the collection, consumption, and removal by the public of any forest-produce, other than animals and the part and produce of animals which may be utilizable as human food, or in medicine, or which may be required for some purely ornamental purpose, such as ferns, flowers, grasses, etc., should not be interfered with, provided—

Conservator's Circular No. 71-T. P., dated 7th August 1891, and Bengal Government letter No. 15T.—B., dated the 23rd July 1891.

- (7) That all produce collected and removed under the permission contained in this order is for private use, and not for sale or barter;

- (ii) That when the edible or medicinal produce is an article of trade in the locality, and of commercial value, bringing in an annual revenue of Rs. 100 or more, it may not be removed by any person in larger quantity than one seer at a time.

101. Construction of Forest Residential Buildings.

The cost of buildings constructed for use as residences for the undermentioned class of subordinates should not, without the special sanction of Government, exceed the following amounts :—

Government of Bengal, Revenue Department, letter No. 1003, dated the 24th February 1905.

- | | |
|---|-------|
| (a) If the building is intended to accommodate a Ranger or Subdivisional Officer ... | 1,250 |
| (b) If the building is intended to accommodate a Deputy Ranger, Forester or other officer on a pay of not less than Rs. 15 and not more than Rs. 50 a month and in charge of a beat or of a revenue or checking station ... | 750 |
| (c) Ditto a Forest Guard or any other subordinate on the executive side drawing less than Rs. 15 a month ... | 800 |
| (d) Ditto ditto for ministerial officers ... | 500 |

102. Maintenance of Capital and Revenue Accounts.

The Lieutenant-Governor in Council considers that it is desirable

Abstract from letter No. 7124 R., dated the 28th October 1913, from the Revenue Secretary, Government of Bihar and Orissa.

to maintain a Capital and Revenue account of Forest buildings on the same lines as those maintained in the case of buildings which are on the books of the Public Works Department. The Conservator of Forests will open in his office a Capital and Revenue Register and will forward annually a copy of the entries contained therein to the Superintending Engineer to enable that officer to exercise a check on the assessment of rent.

It is not considered that the Civil Account or Public Works Code either expressly directs or intend that residential buildings of the Forest Department shall be brought on the books of the Public Works Department.

103. Payment of House-Rent.

Forest subordinates, including Forest Ministerial officers, in receipt of salaries not exceeding Rs. 50 a month, are exempted from payment of rent for their occupation of Government buildings in which they are obliged to live for the convenience of their work.

Government order No. 1005, dated the 24th February 1905.

India, No. 688 F., dated the 23rd May 1905.

The above concession is extended to Rangers of all grades.

Government order No. 2104-T.R., dated the 4th August 1905.

In the case of clerks drawing less than Rs. 100, but not less than Rs. 50 a month, rents are limited to 5 per cent of their pay.

When an officer continues to occupy a house after it has been purchased by Government for official residence, rent should be recovered at the rate paid to the former landlord subject to the usual limit of 10 per cent. on the salary and local allowance of the officer occupying the house, pending the approval of Government to the rent assessed by the Superintending Engineer.

104. Maintenance of Register of Forest Buildings.

Conservator's Circular A Register of all Forest Buildings in Form No. 49
No. 5
No. V-B-31, dated the 24th
March 1916. is to be maintained in every Divisional Office and all changes in it should be reported to the Conservator for keeping his register up to date.

105. Rules for the Occupation of Forest Department Inspection Bungalows, Bihar and Orissa.

1. These rules shall apply to all Forest Department Inspection Bungalows with the exception of those for which special rules may be prescribed.

2. Forest Department Inspection Bungalows are intended primarily for the accommodation of Gazetted Officers of the Forest Department on tour, and such officers have the prior right to occupy them.

3. A Forest Department Bungalow may be occupied by Gazetted Officers of Government, other than Forest Officers when travelling on duty without payment of rent, provided as follows:—

(1) The bungalow is not required for occupation by an officer of the Forest Department on duty.

(2) The bungalow is vacated immediately on requisition being made by officer of the Forest Department intending to occupy it while on duty.

(3) The period of occupation is limited to ten days for one visit.

4. The nature of a Forest Officer's duties frequently entail a lengthy stay in a locality and the period during which such officers may occupy a bungalow, free of rent, is not limited, except by order of the Head of his Department. All other Gazetted Officers when the period of their occupancy exceeds ten days, must obtain the consent of the Conservator of Forests in writing and will pay rent at the rates specified in Rule 6.

5. Gazetted Officers other than Forest Officers not travelling on duty and non-officials may temporarily occupy a Forest Department bungalow

only with the written permission of the Conservator of Forests who will fix the period of such occupation.

6. The following rate of rent will be charged:—

(a) For occupation under Rule 3, for every day after the first ten days, Re. 1.

(b) For occupation under Rule 5 for every day, Re. 1. A book will be maintained at each bungalow in which every person occupying the Bungalow shall enter his name and designation and the date of his arrival and departure and the amount paid.

7. A list of the furniture and crockery and the cost thereof will be posted in each bungalow and occupants damaging the same will be liable to pay the listed cost.

8. Officers and others occupying Forest bungalows are required to keep them neat and clean, and, if they are unable to do this by means of their own servants, they will be required to pay the Chaukidar at the rate of Re. 0-3-0 a day for the purpose in addition to the usual fees.

9. All persons occupying Forest bungalows must make their own arrangements for obtaining water, fuel and supplies—the Bungalow Chaukidar is not to be employed for the purpose.

10. The Conservator of Forests may delegate his powers, under Rules 4 and 5, to the Divisional Forest Officer in charge of the Division.

106. Hire of Government Elephants used by Officers.

When Government elephants are used by an officer for the carriage of articles for which, if they were carried on a cart, he would have to pay the hire of that cart, a charge of Rs. 2 per diem shall be made for each elephant so used; but when used partly for private and partly for official purposes, as, for instance, where an elephant carries personal luggage as well as articles, the property of Government, Re. 1 per diem shall be charged for each elephant. When an officer goes out on inspection or other such duty in tracts where it is impossible for him to travel except on an elephant, no charge at all need be made for that elephant.

107. Mode of realizing Revenue by the use of Forest Stamps.

(1) The sale of forest stamps and their use on licenses for the removal of forest-produce, and the method of check on the Accounts necessitated by

their use, are regulated according to the following system :—

SYSTEM OF FOREST STAMPS.

The main principles adopted are—

- (i) That vendors shall have as little as possible to do beyond selling the stamps and crediting the money into the Treasury ;
- (ii) That the classification of forest revenue for departmental purposes shall be done by paid officials of the Forest Department.

(2) Some difficulty has at times been experienced owing to the inability or unwillingness of licensed vendors to themselves attend at the Treasury and receive the commission due to them, or to authorize by Power-of-Attorney their agents or servants to receive it for them.

In order to abate this difficulty it has been decided that the discount due on the purchase of forest stamps shall be payable to the stamp-vendor's agent or servant on production by the latter of a stamped receipt signed by the stamp-vendor for the amount of commission due. As this commission or discount is payable at the rate of one anna per rupee the stamp-vendor should experience no difficulty in making out his receipt.

The receipts may be endorsed on the back of the *chalan* presented by the stamp-vendor or written on a separate paper. With a view, however, to maintain simplicity of procedure and save trouble in the Treasury, the receipt in question should ordinarily be endorsed on the *chalan*. It will then be necessary for stamp-vendors to keep by them a stock of *chalans* and to fill them up themselves, endorsing a receipt for the discount before despatching their servant or agent to the Treasury, and stamping the endorsement when necessary. With a view to checking frauds Treasury Officers should obtain a specimen of the stamp-vendors' signatures, and it would be an advantage if a particular servant or agent were ordinarily employed for this purpose by each stamp-vendor.

- (3) The security bond to be taken from vendors should be in Form 30.

RULES TO REGULATE THE SALE OF FOREST STAMPS.

- (1) Licensed vendors are of three classes—

- (i) Salaried vendors, being men already in the service of Government, who are employed in checking produce leaving the forest. An advance of stamps will be given to them, but they will receive no commission or discount on sales.

- (ii) Licensed vendors to whom an advance of stamps will be given and who will receive a commission of 9 pies in the rupee on sale receipts.

- (iii) Licensed vendors who purchase supplies of stamps from the Treasury for cash and receive a discount on their purchases of an anna in the rupee.

The amount of advances admissible to vendors of classes (i) and (ii) will be fixed by the Divisional Forest Officer with the sanction of the Deputy Commissioner, and security (*) must be furnished by them to a limit which shall be fixed by the same authority.

- (2) The Forest Divisional Officer will furnish the Treasury Officer with a statement in Form 31, showing the persons who have been appointed vendors, and the rate of commission and discount admissible to each. Any additions to this list should be reported to the Treasury Officer by the Forest Divisional Officer from time to time in the same form.

- (3) Licensed vendors of class (iii) must make their own arrangements for procuring stamps from the Treasury.

Licensed vendors of classes (i) and (ii) must either attend at the Treasury in person or by agent, or may send their indent by post, remitting the cost of stamps, less commission due, if any. The cost of such remittance shall be recovered from the Forest Department.

The Forest Officer may also, if he prefers, arrange for the collecting of the receipts from, and the supply of stamps to, any vendor through his own subordinates.

For this purpose any Forest subordinate may receive an imprest advance of stamps from the Treasury to an amount to be fixed with the approval of the Deputy Commissioner.

A Range Officer (or any other subordinate) providing stamps under these rules to an authorized vendor out of his imprest advance should not charge direct in his accounts the amount of commission allowed in his purchase, but should forward the license vendor's indent with the amount, less commission due, to the Treasury Officer, who will issue to the Range Officer stamps to the value of the amount of the indent (adjusting the commission in his book), thus making up the full amount advanced by the Range Officer.

- (4) All applications for stamps shall be in Form 32 in triplicate. Not less than Rs. 5 worth of stamps shall be indented for at one time, nor shall stamps of one kind be issued for fraction of a rupee.

- (5) Treasury and Sub-Treasury Officers shall, whenever practicable, comply with such indents in full, or, if unable to do so, will note the stamps actually issued on the indents. After signing the certificate one copy of the indent

(*) Form of security prescribed in Appendix V.

will be returned to the licensed vendor and the other retained for transmission to the Forest Officer. (See Rule 16 below.)

(6) The licensed vendor will maintain a stamp ledger in Form 33. All receipts and issues will be entered in this as they occur, and the balance struck daily.

DISPOSAL OF FOREST PRODUCE.

On the last day of the month or oftener if the Forest Divisional Officer so directs, the licensed vendor will forward a statement of the receipts and issues during the month and the balance in hand to the Forest Divisional Officer in Form 35.

(7) Forest Divisional Officers will furnish licensed vendors with a list of the articles for which they are empowered to issue licenses, giving the rates chargeable for the different loads of such produce, and specifying the forests for which they may issue licenses.

(8) Licenses will be in Form 33. They will be bound in books of 50. Each license will bear the number of the book and number of the license which should be entered before issue, and should be sealed with the Forest Divisional Officer's seal.

They will be issued to licensed vendors as required, free of charge.

(9) Licensed vendors will issue licenses from a single book till all the forms in it are exhausted or the book in use is returned to the Divisional Forest Officer as provided in Rule 10.

Licenses must always be given out in the proper sequence of numbers.

Before issuing a license the vendor will fill up and sign all three parts and affix the necessary stamps on the back. If there is only one label to be used it will be affixed to the top edge of the license, and, if there are more than one, the label of highest value will be so affixed, the rest following in successive descending order of value touching one another, edge against edge. The vendor will then affix the date and thus deface the labels on each part of the license. Having done this he will, under the date, enter the number of license and book and his signature.

He will then punch each stamp on the lines of the separation between the several parts, taking care that the hole is divided between the first and second parts, and the second and third parts.

The second and third parts will then be torn off and given to the purchaser as his license.

The first part (or counterfoil) is the left-hand part.

The second part is the middle part.

The third part is the right-hand part.

The separation of the stamp parts before pasting the entire stamp on a license and the tearing of the second and third parts of the license before punching the stamps are prohibited.

(10) At the close of the month the licensed vendor will forward all books from which any license has been issued to the Forest Divisional Officer through the Tahsildar or Range Officer as ordered.

If there are any blank forms in a book the counterfoils of used licenses will be removed, and the book returned to the vendor, it being noted on the cover how many license forms it now contains.

(11) The Range Officer must arrange for the recovery of the middle part of as many licenses as possible from purchasers before they leave the forest.

The Forest Guards will send all such middle parts collected by them to the Range Officer, who will post them in a statement in Form 87 for each licensed vendor.

At the close of the month this statement, with the middle parts attached, will be sent to the Forest Officer.

(12) In the Divisional Forest Office a return will be compiled from the middle parts of licenses received from the Range Officers as well as from those counterfoils of licenses received from the licensed vendors under Rule 10, the middle parts of which have not been collected. The totals of the two will be checked with the total sales shown in the statement of sales submitted by the licensed vendor in Form 84 under Rule 6. Any discrepancy which then remains can only be due either to mistake in the license vendor's account or to fraud on his part.

(13) The Forest Divisional Officer will maintain the following registers :—

(i) File book of statements received from licensed vendors under Rule 6.

(ii) File book of indents received from Treasury Officers under Rule 5.

Before filing the statements received from licensed vendors under Rule 6 the total receipts of stamps entered in them should be checked with the indents received from Treasury Officers under Rule 5.

(14) The Forest Divisional Officer must arrange for the frequent check of the stamp ledger and stamp balances of licensed vendors by their subordinate officers, in order to guard against stamps being divided before issue of license, and mis-statement of the balance in hand.

(15) With the monthly accounts Forest Divisional Officers will forward to the Conservator a statement showing, as regards the stamps in the hands of licensed vendors, and of Forest subordinates holding imprest advances—

A. The opening balance of the month.

- B. { The value of stamps received from the Treasury on payment.
Add—The value of stamps received from the Treasury as advance.
Deduct—The value of stamps refunded to the Treasury.
- C. The value of stamps issued by license vendors.
- D. The closing balance of the month.

This statement may be in the Form 35 and the entries should give details as above shown against B.

(16) Licensed vendors may obtain refund of the price paid by them less any discount already received, on returning, into the Treasury, the stamps in respect of which refund is claimed, and fulfilling such other conditions as the Forest Divisional Officer may prescribe. Such refunds should be noted in the Treasury Officer's monthly stamp-issue return (Rule 5).

(17) Any advance of stamps made to a licensed vendor may be recalled at any time by the Forest Divisional Officer.

(18) Any licensed vendor may be dismissed by the Forest Divisional Officer, who shall then return his stock of stamps to the Treasury, receiving a refund of their value under Rule 16.

(19) Except with the special permission of the Conservator, who may authorize sales by means of stamps from any depot, forest-produce sold from depots will not be sold on stamped licenses, but on ordinary receipts (Form 8), for cash. In the few instances in which sales of drift and waif timber, etc., etc., are made they will ordinarily be for cash. In other words, revenue coming under heads I and III will, in the absence of the special permission above mentioned, be cash revenue. Revenue under head V will, as hitherto, be cash revenue.

(20) Range Officers' accounts (and, as long as the Sub-Range Officers are retained, their accounts also) will be closed on the 25th day of each month, and from that date all sums of revenue received in a Range will, of course, be at once entered in the cash-book, but will not be remitted to the Treasury till the 1st of the following month.

Divisional Officers will close their accounts on the last day of the month.

(21) The Divisional Office cash-book will thus include the Treasury Officer's figures for the month showing sales of stamps by the Treasury during the month, and all receipts in Ranges up to the 25th and of course all his own receipts of the whole month.

NOTE 1.—The above values are the face-values.

NOTE 2.—C also the value of stamps issued; such issues include stamps lost. In the case of stamps being lost a note should be entered in this column stating the fact and the value of such stamps.

The Divisional Officer's Form No. 4 will show all the license vendors' receipts for the entire month.

Divisional Officers' accounts will thus show under head II all sales by Range Officers for cash up to 25th; and their return No. 4 will include under head II all cash revenue of this head received up to the 25th as shown in the Range cash-book, and all sales on stamped licenses up to the last day of the month, as per license vendors' monthly statement.

(22) A reference to Rule 15 will show that the quantity $C = A + B - D$ and if we denote by—

No. 60-E, Civil Account Code.—The total revenue entered in Form No. 60-P, Civil Account Code.

II-f—The total revenue credited to that sub-head in Form No. 60-P, Civil Account Code:

No. 2—The total revenue entered in Form No. 2 as realized:

No. 4—The total revenue entered in Form No. 4 as realized:

II, III and V—The total sums respectively credited to these heads in Form No. 60-P, Civil Account Code:

Then (No. 60-P—*II-f*) represents the cash revenue of the month; and $C + \text{No. 60-P, Civil Account Code, } - \text{II-f} = \text{No. 4} + \text{No. 2}$.

[If C of Form 35, column 7, includes the value of stamps lost, then such value must be deducted from the figure in that column in order to obtain C of the above equation. Such correction would, however, seldom be required.]

Again, since revenue under head I will in practice be identical with No. 2 as forest-produce is not confiscated and drift wood is collected by purchasers then—

$$\text{No. 4} = C + \text{II} + \text{III} + \text{V} - \text{II-f}$$

and whenever the total of No. 4 differs from the above, or that of No. 2 differs from the total of I, then there must be a mistake in the accounts.

The whole of the Rule 9 translated into the vernacular will be printed and pasted on the front cover of each license book, so that no vendor can plead ignorance of them.

Arrangements will be made for the location of the stamp vendor as near the circle under working as possible. He should be the Agent of the Stamp Contractor, if there be one in the district, otherwise the most competent person that the Divisional Forest Officer can select. In suitable localities the patwari should, if practicable, be associated in the work of stamp-vending; not necessarily to the exclusion of other agency. For the present the existing system may be maintained under which licenses and stamps are sold by one and the same man. This system, however, is only

provisional ; the object of the Administration being that the issue of licenses should be effected by an official of the Forest Department, stamp-vending being left in the hands of contractors and their agents according to existing practice. By this means an additional check will be established over the vend of stamps.

The system of license-vending in the remainder of the forest may continue as at present, until the Department is in a position to take the issue of license (apart from stamp-vending) into its own hands.

In filling up a license, not only the names of the blocks or forests for which it is issued will be entered, but also the name of the sub-range and range. If a license is issued for more than one block or forest, these blocks or forests should not only be situated in one and the same sub-range, but also lie along one and the same line of export. Also, only a single line of export will be prescribed on the license, otherwise check will be rendered impossible, enabling the holder, if dishonest, to remove, with little risk of detection, the full quantity of produce by each separate route. Lastly, the quantity of produce covered by a single pass should not be so large as to require being removed in several instalments, thereby rendering check difficult, if not impossible. If a purchaser wishes to buy a large quantity he should be given more than one license, so that each license may cover only a single removal of produce.

108. Free Grants of Forest-produce.

Rules regarding free grant of forest produce for works of Public Departments in the Santal Parganas.

Timber and other produce required for Public Works, such as roads, bridges and buildings, which will be of assistance in the development of Forest revenue in the Santal Parganas district, shall be supplied by the Forest Department free of charge on the following conditions :—

Government of India No. 2024—
2142-F., dated 11th September 1905.
Bengal Government No. 4244T.
R., dated the 17th October 1905.

(1) The Deputy Commissioner will cause estimates of amounts of timber or other produce required for each work to be prepared, and will forward them on to the Divisional Forest Officer with instructions to mark the trees or make over other produce required.

(2) On the receipt of such instructions the Divisional Forest Officer must, unless the value of the trees or other produce at current rates exceed Rs. 500, or he has reason to consider an estimate excessive, in either of which cases he must at once report to the Deputy Commissioner, mark the trees or supply the other produce in the area most conveniently situated in respect to the work for which they are required, where trees or other produce are available.

(3) If the value of trees or other produce required for any work exceed Rs. 500 the Deputy Commissioner will refer to the Conservator with a view

to obtain Government's sanction of the grant, and, if he does not agree to the reduction of any estimate proposed by the Divisional Forest Officer he will consult the Conservator. If he fails to agree with the Conservator the question must be referred to the Commissioner for final orders.

(4) If the Forest Department supplies timber or other produce it has collected at the cost of Government, the Civil Department will refund to the former direct expenses incurred on its collection.

109. Revenue from Quarries and Rules for Granting Leases for the same.

(1) Revenue realized from quarries and minor mineral products in

Government of India Circular No. 3-F., dated the 21st January 1884.

Government forests and lands under the management of the Forest Department should be credited to "Forests", and where such forests and lands are not under the management of that department to "Land Revenue (Miscellaneous)".

(ii) The rules for the grant of licenses to prospect for minerals and of Mining Leases are contained in Appendix No. 4. Such leases or licenses are granted by the Civil Department but when the land in question is situated within a Reserved Forest the district officers shall consult the Forest Officer before granting the lease or licenses.

110. Grazing in River-beds adjoining State Forests.

Cattle of all descriptions may be grazed in the bed of any river

Bengal Government letter No. 670-T. B., dated the 31st August 1901.

which though included in a Government reserved forest at the same time forms a boundary between the reserved forest and either a protected forest or a Government, or *jagirdari* estate: provided that the Deputy Commissioner may order any or all cattle owners who graze their cattle in such river-beds to discontinue grazing cattle in the same if he considers that such owners or their servants have on any occasion failed to take sufficient precautions to prevent or extinguish forest fires, or to prevent trespass of their cattle in other parts of reserved forests; or, if he is of opinion that the grazing of their cattle is likely to lead to forest fires or to cattle trespass in other parts of reserved forests.

111. Grant of Rewards for the Destruction of Tigers in Singhbhum.

(1) The Deputy Commissioner of Singhbhum may sanction the grant of re-

Government of Bengal, Judicial Department, No. 784-J. D., dated the 31st May 1910.

wards up to Rs. 200 in each case for the destruction of tigers within thanas Kolhan, Monoharpur and Chakradharpur in the Singhbhum district the offer of each reward to hold good for a period not exceeding six months.

The payment of rewards for tigers killed within the Forest Division of Singhbhum will be made by the Deputy Commissioner on the recommendation of the Divisional Forest Officer, Singhbhum.

(11) Commissioners of Divisions have power to sanction rewards up to Rs. 500 for the destruction of man-eating tigers provided that the amount can be met from the district budget allotment.

Resolution No. 854-J., dated the 28th January 1905.

112. Control of Trees, etc., on the Portions of the Ranchi-Chaibassa Road falling within Reserved Forests.

Vide Government of Bihar and Orissa, Public Works Department, No. 4243-O, dated the 23rd March 1916. The Forest Department should have control of the trees and other forest-produce situated on the portions of the Ranchi-Chaibassa road falling within the Reserved Forests.

113. Execution of Contracts.

With reference to part of the Resolution of the Government of India in the Home (Judicial) Department, No. ^{4243-O} ~~4243-O~~ ⁴²⁴³⁻⁶⁰¹ ~~4243-601~~, dated the 28th March 1895, and Government of India Circular No. 713-734, dated the 2nd June 1913, the following rules are prescribed :—

(1) No officer other than those of the classes mentioned in the following rules shall be empowered to enter into a contract on behalf of Government in matters connected with the administration and working of forests, and with the business of the Forest Department generally.

(2) Any Forest Officer appointed by an order in the *Bihar and Orissa Gazette* to hold charge of a Forest Division shall be empowered to enter into and execute contracts and other instruments in matters connected with the administration and working of forests, and with the business of the Forest Department generally, within his jurisdiction, including leases of land but not including contracts relating to the purchase or sale or permanent acquisition of land, provided that the value of the property to which the contract or instrument relates, or the amount of the expenditure involved does not exceed Rs. 2,000.

(3) Similar powers shall be exercised by the Conservator, where the value of the property or the amount of expenditure involved exceeds Rs. 2,000, but does not exceed Rs. 10,000.

(4) Where the value of the property or the amount of the expenditure involved exceeds Rs. 10,000 the contract shall be executed by the Secretary to the Local Government in the Revenue Department (Forests).

*NOTE.—Contracts and agreements made with the Forest Department are exempt from stamp duty, vide Rule 86.

(5) Divisional Officers should have these contracts drawn up in Forms Nos. 50, 51, and executed in the presence of an attesting witness. All contracts for sums exceeding Rs. 2,000 should be forwarded to the Conservator of Forests.

114. Concessions in connection with new Forms of Enterprise.

As a consequence of the recent industrial expansion in this country the commercial demand for forest-product has of late years considerably enlarged and Local Governments are now frequently approached by the commercial public with requests for the grant of concessions in connection with the development of new industries such as those relating to the manufacture of paper-pulp, matches, tannin extracts, acetones, etc.

(2) The Government of India are anxious to give every encouragement to new enterprises of this character, and Local Governments have hitherto dealt with them in a liberal spirit; but, as the class of transactions under consideration differs considerably from those connected with the ordinary trade and timber and other well-established forest industries it must frequently be the case that neither Local Governments nor their Forest Officers have at their disposal the information and experience necessary to enable them to deal satisfactorily with applications for concessions in connection with these newer forms of enterprise. Concessions may consequently be granted and terms conceded to the same class of industry in different provinces which may vary so markedly as to cause serious inconvenience. The Government of India, on the other hand, being in correspondence with the different provinces and having at their disposal the advice of the authorities of the Forest Research Institute at Dehra Dun (where the most careful attention has of late years been bestowed on the development of new forms of forest industries) are, as a rule, in possession of better information than Local Governments for dealing with applications for this class of concession, and they therefore consider it desirable that for the present, at any rate, contracts of this character should be submitted for their scrutiny before being formally ratified by the Local Government.

(3) The Government of India are unable to define with precision the class of concessions which they desire to be referred to them, but it will be recognized that while they have no desire to modify in any way the existing arrangements for the grant of ordinary forest contracts in respect of the extraction of timber and the maintenance of existing and well-established industries, or to necessitate the submission of contracts of any kind which are of a comparatively trivial and unimportant character, they should be

consulted before any contracts or amendments of contracts are entered into which extend over a period of years or over considerable areas and are connected with proposed new industries or newly-established industries which promise to be of commercial importance.

(4) The submission of such contracts to the Government of India is not intended to preclude Local Governments or their officers from obtaining the advice and assistance of the Forest Research Institute during the progress of negotiations previous to the final preparation of the agreement between Government and the concessionaires, and the Government of India trust that full use may be made by Local Governments of the information and experience which has been collected, often at considerable expense, by the expert officers attached to the Institute.

115. Official Relations between Forest and District Officers.

RULES TO REGULATE THE OFFICIAL RELATIONS BETWEEN FOREST AND DISTRICT OFFICERS.

The Divisional Forest Officer shall be regarded as the Assistant to the District Officer in respect of all forest matters pertaining to his Division, retaining at the same time his subordination to the Conservator of Forests; all operations in the Protected and Reserved forests shall be placed under his (the Divisional Forest Officer's) control; and all correspondence on general and administrative subjects connected with forest management between him and the Conservator shall pass through the District Officer, who shall have power to direct him to suspend action on any orders that may be passed thereon by the Conservator. When the District Officer directs such suspension he shall report the fact of his having done so to the Conservator and to the Commissioner giving his reasons for the course taken by him.

(2) All orders shall be conveyed from, and reference made to, the Conservator of Forests on the following principles:—

(a) All correspondence on the subjects mentioned in the annexed schedule shall be carried on direct between the Conservator and the Divisional Forest Officer and *vice versa*.

(b) All correspondence on subjects not mentioned in the annexed schedule shall pass under flying docket, addressed from the Conservator, through the District Officer, to the Divisional Forest Officer, and *vice versa*.

(8) Ordinarily the District Officer, in the case of correspondence not included in the schedule, shall, after perusal, simply record his signature under

the word "Forwarded" on the flying docket. He may, however, when he deems it necessary, record his remarks on any communication addressed to the Conservator by his departmental subordinates; and he may return to the Conservator, for reconsideration, any instructions addressed by the latter to the Forest Divisional Officer, recording the grounds on which he solicits such reconsideration.

(4) In the event of the District Officer and the Conservator differing on any matter in connection with correspondence passing through the office of the former, should the difference not be removed by mutual references, the point with the correspondence out of which it arose, should be submitted to the Commissioner who shall endeavour to settle it with the Conservator, and, if unable to do so, lay it before Government for orders, informing the Conservator.

(5) The Conservator shall be the controlling authority in all matters of patronage in the subordinate branches of the Forest Service and in all matters of Departmental discipline.

(6) The annual plans of operations (prescribed in Article 47 of the Forest Department Code, 1913,) shall be submitted for Conservator's sanction on the 10th June in each year, through the District Officer, who will record thereon his approval or disapproval (stating his reasons) of the contemplated operations. In the event of a difference of opinion between the District Officer and the Conservator in respect of any proposal contained in the plan the matter must either be dropped or referred to the Commissioner, and dealt with as laid down in clause (4). After final approval of the annual plan of operations no deviation therefrom, and nothing omitted from that plan at the time of final approval, shall be permitted without the consent of all parties who agreed to its provisions in the first instance. The responsibility for carrying out the provisions of annual plans of operations will rest entirely with the Divisional Forest Officer.

(7) The arrangements regarding the provision of funds, power of sanction and the rendering of accounts shall be those in force, or, as modified from time to time, under the orders of Government.

(8) The responsibility of the Conservator shall remain unimpaired. He shall be kept regularly informed of all orders issued on forest matters by District Officers, Commissioners, and Government; he shall be made acquainted with all business which passes between District Officers and Divisional Forest Officers and he shall, as a rule, be consulted on all forest matters to be submitted to Government.

(9) The District Officer shall see that the subordinate Revenue officers of all grades not only render the same assistance as theretofore in the management of Government waste lands and specially in the assessment and collection of

Government dues, but also that these officials render assistance in the management of all forests. All distinctions and practices which are likely to encourage the impression that forest work lies outside the ordinary duties of Land Revenue officials should be gradually eliminated. The District Officer shall also authorize the Divisional Forest Officer to address orders to the latter officials direct in matters in connection with which it may be convenient that he should in ordinary cases, act without the intervention of the District Officer.

(10) The Divisional Forest Officer shall, on the 1st and 16th of each month, draw up in his own hand a sufficiently full report or diary of all his movements and of all business transacted by him during the previous fortnight and submit a copy of the same to the District Officer, who, after recording thereon any remarks he may think fit, shall forward it without delay to the Conservator.

(11) (a) The offices of Divisional Forest Officers shall, so far as possible, be located in or in the immediate vicinity of the District Officer's office.

(b) Formal official correspondence between the District Officer and the Divisional Forest Officer concerning matters dealt with by these rules should be avoided, as far as possible, written communications, when necessary, being carried on by the transmission of original files and cases, under the same rules as apply to the transaction of business between a District Officer and his Revenue Assistant.

(c) The District Officer may direct the Divisional Forest Officer to file in the District Record Office such of the Forest records as relate to forest settlements or revenue leases or other matters affecting the use of forests and waste lands by the surrounding population.

(12) Proposals of importance for the formation of new forests, or affecting the use of forest and waste lands by the surrounding population, shall, after consulting the District Officer, be addressed by the Conservator to the Commissioner for submission to Government.

SCHEDULE.

List of Subjects in respect to which Correspondence may be carried on direct between the Conservator and the Divisional Forest Officer.

(1) All subjects directly relating to the Divisional Forest Accounts and to the expenditure and revenue of the Forest Division.

(2) All subjects of a purely technical nature, such as correspondence relating to the development of trees, to sowing and planting, to valuation surveys, to the collection of data required in the preparation of working plans, to the manner of felling and thinning trees, cutting, converting and storing timber and firewood, etc., etc.

(3) Miscellaneous subjects, having no direct or indirect bearing on the welfare of the people, such as stationery, the purchase and keep of departmental cattle, stores, tools and plant, books and maps, etc., etc.

116. Character Rolls.

(1) The character rolls of Imperial Officers of less than 15 years' service and of all Provincial Service Officers should be prepared in Form No. 28. Separate sheets should be devoted to each officer, and the sheets should be placed together in a pasteboard character book labelled with the officer's name and kept confidentially. Remarks on (i) administrative capacity ; (ii) technical skill ; (iii) physical capacity ; (iv) moral character should be recorded once a year on 25th June. The rolls of officers in independent charge of Forest Divisions should be filled by the Conservator, and these officers in turn should fill in the rolls of their gazetted subordinates. No officer should have a "black mark" set against his name without being informed of it, in order that he may have an opportunity of explanation and reform. For this purpose "black marks" or unfavourable opinions may be divided into three classes, viz. :—

- (a) Remarks of so damaging a character as to indicate a course of official conduct which, if persisted in, must entail orders injurious to the officer affected.
- (b) Remarks indicating faults in an officer's official character which may be remedied.
- (c) Remarks upon faults in the character of an officer which would not affect his claims to ordinary promotion or higher emoluments and which are not likely to be corrected by him.

In communicating the *substance* of the remarks through the proper channel officers who come under class (a) should be given a warning to the effect that serious notice will be taken of their conduct unless they show improvement and those who come under class (b) should be told that it is hoped that the next year's report will show that they have remedied the faults pointed out. It is not, however, intended that reasons for the opinions recorded should be stated or that there should be any long and disagreeable correspondence in this matter between the officer concerned and his superiors. An officer subordinate to the Conservator is not entitled to demand reasons, and if any officer desires to know reasons he should be informed that any explanation he may have to offer will be submitted to Government with the Conservator's remarks. Whenever therefore reasons arise for the grant of promotion, or of a personal allowance, or for the stoppage of an increment, the character roll of the officer concerned should be submitted to Government in original in a confidential cover.

(2) In the case of Officers of the Indian Forest Service of 15 years' standing and upwards, the District Officers concerned will be supplied by the Conservator with copies of the Form No. 29 and asked to submit them with their opinions to their respective Commissioners in such time that the latter may forward them to the Conservator, after recording their remarks not later than the 15th May each year. The Conservator will then record his opinion and submit the reports to Government by the 1st June in each year.

(3) In the case of officers of the subordinate Forest Service and ministerial establishment confidential reports will be submitted by the Divisional Forest Officers in such form and at such dates as the Conservator may fix.

117. Institution of Criminal Suits in which Government is a Party.

EMPLOYMENT OF GOVERNMENT PLEADER.

The following rules have been framed by the Lieutenant-Governor

Bangal Government letters No. 359-J., dated the 17th January 1894, and No. 5706, dated the 26th December 1904.

for the guidance of officers of Government and of Government Pleaders in regard to the prosecution of criminal charges before any Court, and for the payment of fees to Govern-

ment Pleaders for conducting such cases on behalf of Government :—

1. The Government Pleader is bound to advise the head of any Government office on any legal matters affecting the interests of Government in connection with the department which such officer represents without the payment of fee, such service being covered by his general retainer.

2. The Government Pleader is bound to advise a Government officer consulting him on behalf of a Municipality, District or Local Board Committee, Port Trust, or of any public body, over whose proceedings such Government officer is legally vested with powers of supervision or control, on payment of a reasonable fee, for his opinion. The amount of such fee shall be noted on the reference, and, if offered to and refused by the Government Pleader, shall be fixed by the Legal Remembrancer on reference to him by the officer who makes the tender.

3. When a Government Pleader conducts a case in Court he is, ordinarily that is, subject to any special order of the Superintendent and Remembrancer of Legal Affairs, entitled to Rs. 16 a day in cases before Magistrates and in Sessions cases. In appeals he is ordinarily entitled to Rs. 16 if the appeal takes up the whole or greater part of the day, and to a proportionately smaller sum if it takes up half-a-day or less.

4. In all cases of criminal prosecutions brought against public officers for acts arising out of the performance of their public duties, Government Pleaders are bound to defend them, subject to the conditions laid down in the circular of Government, No. 38, dated the 7th July 1879, and are entitled to fees.

5. The following is the procedure to be followed when prosecutions are instituted by public officers. Where the charge is of a cognizable offence, the prosecution will ordinarily be conducted by the police. Where the charge is of an offence which is non-cognizable, or, though cognizable calls for special arrangements, the officer who prefers the complaint should refer for instructions to the Magistrate of the district, who may, if he thinks fit, either instruct the officer himself to prosecute, or, if the case is of a complicated and difficult nature, rendering, in his opinion, the employment of the Government Pleader or of some legal practitioner necessary for a proper prosecution, may direct the Government Pleader to prosecute or report, for the sanction of Legal Remembrancer, what other arrangements he has to propose. The Government leaves it to the Legal Remembrancer to see that the tendency to unnecessarily employ Government Pleaders is kept in check.

6. Government Pleaders should never be deputed to the mufassal without the previous sanction of the Legal Remembrancer, who will, if he considers it necessary, refer any case for the orders of Government.

7. The form of memorandum given in the margin, which has been prescribed by the High Court, should be adopted by District Magistrates for the purpose of informing Subdivisional Magistrates that there is an appeal against their decision, and asking them whether the Public Prosecutor should be engaged to support the conviction. Subordinate Magistrates at headquarters and at subdivisions should always be invited to state whether they think it necessary that an appeal against their order should be defended.

8. In appeals and revision cases before the Court of Sessions the Magistrate of the district can direct the Government Pleader to appear on behalf of the Crown without reference to the Legal Remembrancer. The Magistrate of the district is responsible that Government prosecutions do not fail because Government is not adequately represented in the Appellate Court, and, unless otherwise directed by the Magistrate, the Public Prosecutor should appear in all appeals before the Sessions Judge in which the appellant is represented by a pleader or counsel.

The Sessions Judges of having fixed the day of 10 as the date of hearing of criminal appeal noted in the margin against your order, please state whether the appearance of the Public Prosecutor is necessary to uphold your order.

Magistrate.

MAGISTRATE :

The

10 .

Government and has the first call on the Government Pleader's professional

9. The Magistrate, as the head executive authority in the district, is the representative of

services, both in the Original and Appellate Court. The Government Pleader cannot, therefore, accept a brief for the defence, or for an appellant, or for an applicant, for revision in a criminal case, except with the Magistrate's permission in writing previously obtained.

10. In serious or important cases the question whether Government should be represented or not should not depend on whether a pleader or counsel is employed on the other side, but should be decided by the Legal Remembrancer on the merits of the case itself. In cases which might take more of the Deputy Legal Remembrancer's time than he can afford to give with regard to his other duties the Legal Remembrancer should exercise the authority vested in him of employing counsel to appear for Government. It will also be open to the Magistrate to apply, through the Legal Remembrancer, for the sanction of Government to the employment of counsel in mufassal cases. In cases, however, where there is no time to refer the matter to Government for sanction the Legal Remembrancer's sanction will be sufficient.

118. Civil Suits and Prosecutions against Government Officers.

1. When a prosecution against an officer of Government is instituted by a public servant the officer charged will be left to defend himself, but Government will defray his reasonable costs in the event of his being acquitted and it being shown that his conduct throughout had been free from all blame. If, though acquitted of the offence charged, his conduct should appear not to be free from blame, he will receive any such portion, if any, of the cost incurred by him as may seem fitting to the Government.

2. In the case of a civil suit or a criminal prosecution instituted by a private person against a public servant for acts done in the discharge of his public duty the following course will be followed :—

Under the provisions of section 424 of the Code of Civil Procedure no such civil suit can be instituted until the expiration of two months after delivery of the notice under that section. On receipt of such notice the public servant concerned will at once report to his superior officer all the circumstances necessary to the forming of an opinion on the case. The superior officer receiving such report will, without delay, after making any inquiry that may be necessary, report all the facts of the case, with his recommendation, for the orders of Government, through the usual official channel. Government will pass orders after consulting the Legal Remembrancer, if necessary.

Section 107 of the Criminal Procedure Code lays down a special procedure in regard to criminal prosecutions against certain classes of officers. In those cases there would always be ample time to obtain the orders of Government as to undertaking the defence of the officers, and this should be done. In the case of criminal prosecutions against other classes of public servants it may ordinarily be impossible to obtain the orders of Government before the commencement of the proceedings before the Court, and, when this is so, it must rest with the local officers to decide whether the defence should be undertaken by the Government or not. Whenever it is probable, however, that the orders of the Government can be obtained in time a full report should be at once submitted through the usual official channel. If such orders are received before the commencement of the proceedings they will be acted on; if not, the local officers should themselves decide upon the course to be taken.

3. Where no appearance is entered on behalf of Government and the suit is dismissed or the accused discharged or acquitted, the case will be dealt with as is provided under Rule 1, allowance being made for the expenses (if any) realizable under the order of Court.

4. It is to be distinctly understood that charges, the payment of which may be applied for under these rules, must be moderate, and that the Government does not bind itself to pay unnecessary expenses which the officer concerned may choose to incur. In petty cases an appearance in person will be often quite sufficient, and, where this is so, the employment of a pleader is superfluous. In the same way requests for the payment of counsel will be entertained only under very exceptional circumstances.

No civil suit can be instituted or defended on behalf of Government by any officer without the sanction of the Legal Remembrancer to the Local Government and full compliance with the rules in force concerning Government suits. (*See Practice and Procedure Manual.*)

119. Early Submission of Pension Claims.

1. "A case having recently come to the notice of Government in which considerable hardship was caused to an officer after his retirement owing to the great delay which occurred in submitting his service statement to the Audit Office for preliminary verification, I am directed to invite your attention to the provisions of Article 907 (b) of the Civil Service Regulations, under which such service statements may be prepared and submitted for

Bihar and Orissa Government No. 5706-411, dated the 10th June 1913.

verification prior to retirement, and to request that full advantage may be taken of these provisions so as to avoid delay in obtaining sanction to an anticipatory pension. Article 925 of the Civil Service Regulations is designed to obviate the inconvenience caused to officers if the stoppage of their pay on retirement is not immediately followed by the grant of such pension as may be admissible to them at that stage. It will be observed that clause (c) of the Article requires that the payment of pension should begin within a month of retirement.

(2) I am further to draw your attention to the provisions of Article 920 which requires that everything possible should be done to prevent or shorten delays in the payment of pension. As long ago as 1894 the Government of India passed orders that special measures should be adopted for the speedy disposal of all applications for pension, and the Lieutenant-Governor in Council hopes that these orders will be strictly observed in future."

120. The services of Forest Guards on Rs. 12 a month declared as Superior for purposes of Pension and Leave.

Government of India's Circular No. 6F-146-2, dated the 27th April 1914.

Government of India's No. 20-300-2, dated the 11th December 1914.

Government of India's Circular No. 6F-98-2, dated the 30th March 1915.

Bihar and Orissa Government No. 3749 B' dated the 16th May 1915.

In exercise of the power vested in all Local Governments the Government of Bihar and Orissa have declared the services of all Forest guards on Rs. 12 a month as superior with effect from the 1st June 1915. But their services will continue as inferior for the purpose of the travelling allowance rules.

The provisions of Article 398, Civil Service Regulations having been waived in respect of officers who begin service as Forest guards on the inferior scale and rise to appointments in superior service in or above the rank of Forest guard of over ten rupees per mensem, such officers will count the whole of their qualifying service towards pension as superior.

121. Identification of Pensioner.

- (i) All applicants for service pensions, with the exception of Gazetted Officers and those especially exempted by Government, shall, at the time of preparation of their applications for pension, make, before the head of the office, in the first page of their application for

Government of India No. 688-P., dated the 2nd February 1905.

pension, in the space provided therein for the purpose, impressions of the balls of the thumb and all the fingers of the left hand. If in any case attendance before the head of the office be a matter

of difficulty or occasion undue expense to the applicant, he may, with the consent of the head of the office, give the impressions before a Magistrate who should satisfy himself as to the identity of the applicant and record a certificate stating that he has done so and that the impressions have been taken in his presence.

- (ii) Impressions similar to those mentioned in clause (i) shall at the same time be taken on two slips of paper and shall be attached to the application for pension.

NOTE.—The following endorsement should be made on the slips of paper on which thumb and finger impressions are taken under clause (ii).

ENDORSEMENT.

(To be written below the thumb and finger impressions.)

Thumb and finger impressions of

late

taken before

Name of Officer

Designation of Officer

on (date)

- (iii) These impressions will be sent together with the pension papers to the officer reporting on the claim to pension and be forwarded by him to the authority who has to sanction the pension. They will thereafter, with a copy of the first page of the application for pension, be forwarded by the sanctioning authority to the officer who audits payments of the pension.

- (iv) One of the impressions will be pasted on the copy of the first page of the application for pension and will serve in the auditing office as a permanent record of the impressions. The other impression will be pasted on the Disbursing Officer's half of the Permanent Pay Order.

122. Punishment and Dismissal of Government Servant.

- (1) No order shall be passed inflicting upon any servant of Government the punishment of dismissal or removal, or in the case of servants of Government drawing more than Rs. 10 a month, of reduction to a

Bengal Government letter No. 2768, dated the 9th July 1901.

lower grade of pay, without the preliminary of departmental inquiry.

- (2) The record of such departmental inquiry will consist of a proceeding in the form noted below and shall include—

- (a) The framing of specific charges in writing against the Government servant concerned, of which he shall be furnished with a copy and which he shall be called on to explain ;

- (b) The record of a memorandum of the evidence of the witnesses examined (if any). Such examination should, if there be no special reason to the contrary, be conducted in the presence of the accused, who should be given an opportunity of questioning the witnesses. Except under very special circumstances no pleader or agent should be allowed to appear either on behalf of Government or the accused either before the officer who conducts the inquiry or any officer to whom appeal may be made ;
- (c) A reasonable opportunity to the accused of adducing his defence, which shall be reduced to writing, also the record of a memorandum of the evidence of any witnesses adduced by the accused in so far as their evidence may be relevant to the charge against him ;
- (d) A recital of the accused's previous character as recorded in his service book or office records ;
- (e) A clear and definite finding upon each of the charges originally framed against the accused ;
- (f) A clear and definite finding as to the punishment to be inflicted.

(3) When the orders for punishment are passed by an authority other than the person conducting the inquiry into the conduct of the Government officer concerned it will be sufficient if the authority passing orders of punishment definitely records his agreement or disagreement with the person by whom the inquiry was conducted.

(4) The record is to be prepared as the case is gone into : it is not to be written by a clerk after the case has been decided.

(5) When any orders of punishment have been passed the officer punished shall be entitled to receive a copy of the order of punishment free of cost and shall also be allowed to take a copy of the rest of the records, paying for the copy at the usual copy rates, or providing his own paper and copyist.

- (6) The special attention of all officers is drawn to the rule prescribed under the authority of the Government of India and reproduced in the margin. In accordance therewith they should base their finding and orders of punishment upon facts and inferences appearing in or deduced from the records, and the judgment should not contain confidential matters or deal with persons or

(i) As a rule, only the substance of a decision should be communicated to the officer concerned, with such statement of the grounds upon which it is based as may be necessary for the information of the officer and may be considered expedient, having regard to the circumstances of the case ; (ii) Despatches from or to the Secretary of State and correspondence indicating a difference of opinion between the Local Government and the Government of India should only be communicated with the express permission of the Government of India.

topics not directly concerned with or at issue in the proceedings. With regard to such matters, which properly form the subject of separate correspondence, Rule 23, section IX, page 26 of the Record Manual, will apply.

(7) The above instructions will not apply—

(i) In the case of public servants—

(a) Who are judicially convicted of a criminal offence and are dismissed or otherwise punished solely with regard to the finding of the court; or

(b) Who abscond with an accusation pending against them.

(ii) When from facts elicited in a criminal case brought against a public servant, in which the latter has not been convicted, or in a civil suit instituted against him, it is apparent that his retention in the public service is *prima facie* no longer desirable. These facts may be used as the basis of an order calling on him to show cause why he should not be punished by dismissal or otherwise. In such a case the officer concerned should have an opportunity of submitting his defence, and he should not be precluded from tendering such further evidence in support of his case as he may see fit to produce.

(8) An appellate authority should ordinarily deal, as is customary, with those points only that are raised or pressed in the appeal.

123. Dismissal of Public Servants.

In the circular letter from this Department, No. ^{11 Public} ~~1065~~ ¹⁰⁶¹, dated the 21st June 1894, the Government of India inquired what rule was observed with regard to giving Government Officers necessary information as to dismissals of public servants; whether any difference was made between cases where re-employment is prohibited and where it is not; and whether in any case of dismissal in which it is decided to issue a public notification the cause which led to the dismissal is specified. The replies received to the letter of 21st June show that a uniform practice is not observed in the different Provinces in dealing with this matter. The Governor General in Council accordingly deems it desirable to state the general principles which should be observed in disposing of such cases.

2. In the first place, His Excellency in Council desires to direct attention to the distinction that exists between the removal or discharge, and the dismissal of a public servant. Removal from office for such a cause as unfitness for the duties of the office need not usually entail any further consequences. It ought not to bar reappointment to another office, for the duties of which the person may be suited, and it should not be accompanied by any subsidiary orders which would operate as such a bar or otherwise prejudice the person in

question. Removal should be the penalty in all cases where it is not thought necessary to bar future re-employment under Government.

3. In cases of dismissal, on the other hand, the effect of the order should be to preclude the dismissed officer from being re-employed. Ordinary cases of the dismissal of non-gazetted officers need not be notified in the Government Gazette. As a precaution against the inadvertent re-employment of men who may have been dismissed, it would be sufficient to rule that officers should ascertain whether an applicant for a post has been in Government service before, and should refer to his previous employer if the circumstances connected with his discharge are not clear. The applicant should be required to produce a copy of his character book or other record of service, and a person who succeeds in obtaining employment by the concealment of his antecedents would obviously merit dismissal on the true facts being discovered. The sanction of the Local Government or Administration always should be required to the re-employment of persons dismissed.

4. The dismissal of public servants should, the Governor General in Council considers, be notified in the Gazette only in the following cases, viz.:—(1) When it is necessary to notify the public of the removal from service of an officer whether because his appointment was previously gazetted or from any other cause, and (2) when it is specially desired to exclude from re-employment into the service of Government of a public servant who has been dismissed for a heinous offence, such as fraud or falsification of accounts.

5. The reason for the dismissal of a public officer should not be stated in the notification regarding his dismissal, even in cases in which a conviction has been obtained in a Criminal Court. It will be sufficient to announce in the case of any person whose dismissal will be notified in accordance with the principle laid down in paragraph 4 of this circular that the Government has dispensed with his services, except in those cases in which the cause of dismissal constitutes a disqualification under the terms of the law regulating the tenure of a particular appointment, and it is for this reason necessary to couple with the announcement of the dismissal a statement of the grounds upon which it has been ordered.

6. The Government of India leave it to the Local Governments to make such arrangements as they think necessary for securing that officers serving under them are informed what Government servants, other than those whose dismissals have been gazetted, have been dismissed. There is not before the Government of India sufficient evidence to show that it is necessary to communicate such information between Provinces if the precautions above mentioned are taken by officers when making appointments to vacant posts.

124. Rules for the Suspension or Punishment of Officers of Provincial and Subordinate Services.

[*vide* Bihar and Orissa Government order No. 3150-R—IIIF-36, dated the 18th May 1916.]

1. Any member of the Provincial Forest Service against whom misconduct is alleged may be suspended by the Conservator pending inquiry and subject to the submission of a report to the Local Government. The reduction or dismissal of officers of the Provincial Service will rest with the Local Government.

2. Any member of the Subordinate Forest Service may be suspended by the Divisional Forest Officer.

3. The reduction and dismissal of Rangers and Deputy Rangers will be made by the orders of the Conservator.

4. The reduction and dismissal of Foresters and Forest guards and other officers below the rank of Deputy Rangers may be ordered by the Divisional Forest Officer.

5. When a member of the Subordinate Forest Service is reduced to a lower class or grade his name will, as a rule, be placed at the bottom of the list of officers of that class or grade, but should the officer ordering the reduction desire, in any special case, that the officer degraded be placed in any other position in the lower class or grade, the fact should be stated in the order reducing the officer.

6. Divisional Forest Officers have the power to fine, to the extent of one month's salary, any member of the Subordinate Forest Service serving under them; but fines inflicted on Rangers and Deputy Rangers require the previous sanction of the Conservator.

7. Criminal prosecutions of officers of the Provincial and Subordinate Forest Services may be instituted only by the orders of those authorities who have the powers of reduction and dismissal, but in the case of Foresters a report will be submitted for the orders of the Conservator before such proceedings are instituted.

125. Presentation of Appeals by non-Gazetted Officers.

1. Departmental punishments shall be held to include (i) dismissal ; (ii) removal ; (iii) suspension ; (iv) degradation ; (v) stoppage of promotion or of increment of pay ; and (vi) fine.

Bengal Government Circular No. 25, dated the 25th May 1905.

2. Every officer on whom any departmental punishment is inflicted shall have the right of preferring one appeal, viz., to the authority immediately superior to the officer who passes the order of punishment.

3. No officer whose service is inferior shall have the right of preferring a second appeal in the case of any departmental punishment.

4. An officer whose service is superior shall have the right of preferring a second or further appeal (i) against an order of dismissal or removal ; or (ii) against an order of suspension or degradation, or of stoppage of promotion or increment of pay, when the period in respect of which the order is passed exceeds six months :

Provided that an order passed on appeal by the Board of Revenue or the Head of a Department shall, in the case of an officer whose service is superior and who draws pay of less than Rs. 50 a month, be final.

5. No appeal as of right shall lie against an order declining to give an appointment on promotion to a particular individual, or affecting a transfer or an extension of service.

NOTE.—For definitions of “inferior” and “superior” service, see Article 396 of the Civil Service Regulations.

126. Miscellaneous Circulars regarding appointment, transfer and dismissal of Subordinates.

CONFIRMATION OF SUBORDINATES.

(a) No clerk or officer of the Subordinate Forest Service, whether on probation or officiating, may be allowed to remain unconfirmed in the Forest Department after having completed a term of two years' service in any capacity. Divisional Officers will report on any probationer's service in their Division as soon as his service reaches six months as to whether (1) his services should be retained ; (2) he should be allowed an extension of probationary service ; or (3) his services should be dispensed with.

Conservator's Circular
No. 126, dated the 19th July
1901.

AGE AND HEALTH CERTIFICATE.

(b) The certificate of age and health required by Articles 49 and 50 of the Civil Service Regulations should invariably be obtained and approved in the cases of the probationary or temporary appointment of any subordinate who may eventually be confirmed ; it is not desirable to wait until it is proposed to confirm him.

Conservator's Circular
No. 47, dated the 18th May
1900.

LIMIT OF TENURE OR APPOINTMENT.

(c) No ministerial officer holding a responsible position and dealing with accounts and money is to be allowed to hold his appointment uninterruptedly for an indefinite time. After holding it for seven years, he must either be transferred to another appointment, either in the same or another office or department, or be required to go on leave for a period of at least three months:

Bengal Government Circular
No. 10-F., dated the
26th August 1889.

TRANSFER OF SUBORDINATES.

- (d) Transfer of officials from the permanent to a temporary establishment

India Government Circular No. 8-F., dated the 17th May 1908.

either in the public interest or in order to give promotion to deserving individuals should not be made.

Explanation.—The above order refers only to the permanent transfer of a permanent employé to a temporary establishment (*vide* Bihar and Orissa Government No. ^{2303-B.} III-F.—182, dated the 16th December 1915).

- (1) It is the duty of a Government officer who wishes to transfer his services to a different Government office or department to obtain the con-

Bengal Government Circular No. 26-K., dated the 21st July 1910.

sent of the authority which appoints to his existing post before taking up the new employment. If he takes up the new employment without such consent he commits a breach of discipline and is liable to be punished, in the last resource, by dismissal from his former post and subsequent loss of pensionable service. Resignation of his former appointment will not, it should be noted, protect him from this penalty.

- (2) In granting or withholding consent to the acceptance by a subordinate of other Government employment the head of an office or department must consider whether the transfer will be consistent with the interests of the public service. Permission should not be refused, however, without strong reasons, which should be recorded in writing.

(3) The head of an office or department shall not employ, either temporarily or permanently, an officer whom he knows or has reason to believe to belong to another establishment without the previous consent of the head of the office or department in which he is employed. In the rare cases in which, for reasons which are satisfactory to the new employer, an officer cannot obtain the required consent before taking up the new appointment, the employment may be made conditional on consent being obtained at the earliest opportunity.

- (4) The foregoing instructions apply equally to officers on leave whether with or without allowances. All leave allowances must, *ipso facto*, cease on the taking up of new employment, other than work of a purely casual nature. (Also see Rule 139.)

SUPERSESSION OF SUBORDINATES.

- (e) When any clerk or officer of the Subordinate Forest Service ordinarily

Conservator's Circular No. 183, dated the 4th September 1903.

promoted by the Conservator of Forests, is permanently superseded by any other officer, he will be duly informed of such supersession. Any appeal which he may wish to make on account of the supersession must be made within three months of his receiving this information.—If an appeal is made after this period has elapsed it will not be considered.

APPLICATIONS FOR PROMOTION.

(f) No applications for promotion submitted by subordinates may be forwarded by Divisional Officers to Conservator. Any recommendations Divisional Officers may have to make as regards promotion should be made when submitting the prescribed reports on the character and qualifications of the officials concerned.

Conservator's Circular
No. 86-B, dated the 16th
July 1894

REDUCTION OF ESTABLISHMENT.

(g) In the case of reduction of any establishment no Government servant should be discharged until the reduction has been finally determined on and has been actually ordered by Government. The fact that prospective changes are under consideration and likely to be adopted which will involve a reduction of establishment should not be used to justify the removal of an officer from his appointment.

Government of India
6-Public
No. 621,
dated the 12th
April 1895.

CERTIFICATES TO DISMISSED SUBORDINATES.

(h) An officer having incurred the grave displeasure of the Governor General in Council for omitting to state all the grounds for dismissal in a certificate granted by him to a dismissed subordinate, attention is specially drawn to the responsibilities of all officers in this particular, and to the necessity of stating the whole of the facts in respect of character and conduct in all certificates which may be granted by them to their subordinates.

127. Rules for taking Security from Subordinate Forest Officers

[Approved in Government orders No. 1135, dated the 20th February 1896, No. 3711, dated the 14th September 1896, No. 4061, dated the 27th October 1896, and No. 2311-T.R., dated the 25th September 1903.]

The following rules relating to the taking of security from officers of the Subordinate Forest Service, that is to say, Rangers, Deputy Rangers, Foresters, Guards and other subordinates, clerks and peons are prescribed in supersession of previous orders on the subject. They apply to all officers whether holding permanent or officiating appointments :—

1. Every officer through whose hands public money passes is to furnish security. The scale at which security is to be taken from Head Clerks of Forest Divisions, Forest Rangers, and Foresters is given below :—

Head Clerks of Forest Divisions, not less than Rs. 500 ordinarily, and Rs. 1,000 in special cases, with the approval of the Conservator.

Forest Rangers, Rs. 1,000, and, when in charge of revenue stations, Rs. 2,000.

Foresters, Rs. 500, and, when in charge of Revenue stations, Rs. 1,000 : Provided that this rule does not apply to forest guards or office peons whose case is covered by the next following rule.

2. Forest guards and office peons must either furnish a cash security of Rs. 50, in a single payment, or by monthly deduction from pay of not less than one rupee, till the above amount has been completed, or they must give a security bond, executed by some person of known respectability and solvency, for their good and honest conduct, in the following form :—

"I know *A. B.* to be an honest man and I agree to forfeit Rs. 50 if called upon to do so, should he be proved to have embezzled Government money up to that amount."

3. All officers who have to furnish security in excess of Rs. 500 shall give it in the form of Government promissory notes, or in cash. If it is given in cash, the sum will be invested in as many Government promissory notes as it will purchase, the balance, if any, being placed in the Savings Bank as a security deposit (Government order No. 4061, dated 27th October 1890).

4. Officers who have to give security of Rs. 500 and under shall give it in the form of Post Office Savings Bank deposits.

5. If an officer is unable to furnish the full amount of security due from him in a single payment he may, at the discretion of the Conservator, be permitted to pay it by monthly instalments of not less than one-fourth of his pay.

6. House property may in no case be accepted as security.

7. No officer appointed after the date of these rules to any post requiring security will be permitted to furnish it in the form of landed property.

8. Officers who have already given security in landed property will be required to set apart 25 per cent of their salaries in order to provide security in the form of promissory notes or Savings Bank deposits. The security given by them in landed property will remain in force until the requisite amount has been made up by deductions from their pay.

9. The form of security bond (vide Form No. 43 in Appendix 5 of Vol. II), is prescribed for treasurers. This form is also to be taken as a model in other cases in which security is required from officers having charge of public money. In such cases the nature of the office may be such as to call for modification in the wording of the form, but it is important that there should be as little difference as possible in the nature of the obligation of the signatories to the bond, and the interests of Government must, in every instance, be fully secured.

10. Promissory notes and Savings Bank deposits lodged as security shall not be returned until after six months from the date of vacation of the office,

but security bonds should be retained permanently, or until it is certain that there is no necessity for keeping them longer.

11. Public securities lodged with Government officers as a guarantee for the due performance of official duties are to be dealt with under the rules in Chapter II of Civil Account Code, Vol. I.

12. Security bonds given on plain paper by ministerial officers are exempted from payment of registration fees.

13. The security bonds of all officers are to be sent for safe custody to the Inspector-General of Registration. They should be sent in registered covers, and copies on plain paper should be retained in the Forest Office for reference, whenever necessary.

14. A register of securities is to be kept in Form No. 41 in every Forest Office.

128. Method of dealing with Security Deposits.

Amounts received from the forest subordinates as security deposits should not appear in the divisional cash-book at all, but should be placed in the Government Post Office Savings Banks in the name of the Divisional Forest Officer to whom the securities are pledged in accordance with the Savings Banks Rules.

Comptroller and Auditor-General's No. 2377-I., dated the 14th December 1910, and Accountant-General, Bengal's No. 119-I., dated the 7th December 1906.

A Register of Security Deposits, distinct from and outside the regular accounts, should be kept in every Divisional Office. In this register should be posted all deposits in the Savings Banks and all withdrawals therefrom for the purchase of Government securities in favour of the parties concerned, as well as the amounts remitted to Comptroller-General and balance received back from him after purchase of securities.

The balances as shown in the pass books, exclusive of interest, should be verified periodically with those in the Security Deposit Register.

Care should be taken not to post the interest realized on Government securities in the above register.

All transactions connected with the payment of interest on Government promissory notes should appear in the accounts.

Comptroller-General's No. 3178, dated the 12th November 1906.

On receipt of the warrants authorizing payment of interest the amounts thereof should be entered in the divisional cash-book under the head "Suspense", and payments made to the subordinates to whom the interest is due should be charged to the same head, each such charge being supported by a voucher in the prescribed form.

129. Rules for adjusting Security Deposits payable into the Post Office Savings Bank for Subordinates by Monthly Deductions from Salaries.

1. The Post Office Savings Bank books of all subordinates furnishing security are to be kept in the Divisional Forest Office and all accounts shall be kept with the Post Office at the headquarters station (any such accounts at present open with other Post Offices to be transferred to the Post Office at the headquarters station).

Conservator of Forests' Circular
No. 104-423, dated the 6th May
1911.

2. As early as possible in the first week of each month a list showing the sums payable out of salary for the previous month to be deposited in each Savings Bank book is to be made out; the Divisional Forest Officer will then draw a Forest cheque in favour of the *Postmaster* (not by name) at the headquarters station on the local treasury or sub-treasury for the *total* amount shown in the list, the cheque, list, and Savings Bank books to be sent together to the Post Office at the headquarters station for entry and return to the Forest Office, where the entries in the Savings Bank books will be checked.

Entry to be made in the Divisional cash-book as follows :—

“By paid part pay of permanent Subordinate Forest Establishment for (month) 19.... being deduction from salary paid into Post Office Savings Bank as security deposit, Rs. .”

The entries in the salary bill books will give the details required. When security is taken from subordinates other than permanent Subordinate Forest Establishment similar but separate entries must be made according to vouchers and different Budget sub-heads of expenditure.

Disbursing Officers will be previously instructed to disburse the net amount of salary to each subordinate, and to show in column 4 of Form 15, the amount of security deducted as *withheld pay*; ordinarily the full pay of each subordinate will be shown in the Divisional salary bill book, as part will be disbursed by the Divisional Forest Officer (security deposit paid to Post Office Savings Bank), and the balance will be disbursed by the Range Officer or other disburser in the same month, but in case of disburser's accounts not being received in time the part disbursed by the Divisional Forest Officer will be so shown, and the balance will be shown in column 4 as held over for future payment.

3. When payments have to be made while the Divisional Forest Officer is absent from headquarters the Savings Bank books can be kept in the

custody of the Head Clerk; the Divisional Forest Officer should verify entries in the Savings Bank books made during such absence at his next return to headquarters.

130. Government Promissory Notes tendered as Security.

Government promissory notes should not be accepted as security by Government officers unless they have been enfaced for payment of interest at the treasuries in which they are to be deposited. It would also be desirable, where there is any doubt about the regularity of endorsements on the note, to require the depositor to obtain a renewal of it in his name.

But the officer who accepts the security should exercise his discretion, and need not require enfacement in petty cases of temporary deposit, or where the depositor is thoroughly trustworthy and substantial, unless he has reason to suspect the authenticity of the promissory note or the depositor's title thereto.

131. Scale of Temporary Establishments.

Conservator has power to sanction such temporary establishment as will be required from time to time in the Circle within the limit of the annual Budget allotment on this account provided that no appointment other than those mentioned below or on pay exceeding the maximum rate specified for each class of establishment shall be created without the sanction of the Local Government.

Sub-head.	Designations of Officers on Temporary Establishment.
A. I. a.	<p>(1) <i>Overseer</i>.—To include men on pay of more than Rs. 13 to Rs. 40, employed to carry out duties such as if done by the permanent staff are ordinarily performed by Foresters or men of higher rank.</p> <p>(2) <i>Watcher</i>.—To include men on pay of Rs. 12 or less, employed as depôt chaukidars or on duties connected with departmental works such as are ordinarily performed by Forest Guards.</p>
A. I. c.	<p>(1) Overseers' pay up to Rs. 25 and (2) Watchers' pay up to Rs. 8 performing similar duties to Overseers and Watchers charged to A. I. a.</p>

Sub-head.

Designations of Officers on Temporary Establishment.

A. II.	(1) Revenue Station Officer	...	Pay Rs. 13 to Rs. 30
	(2) Checking Officers	...	Pay Rs. 13 to Rs. 30 for checking timber extracted from forests by purchasers.
	(3) Overseers	... ..	Pay Rs. 13 to Rs. 40, employed on marking and controlling fellings by purchasers. For work which if performed by a member of the permanent staff would ordinarily be performed by a Forester or man of higher rank.
	(4) Watchers	... ..	Pay up to Rs. 12, for work in connection with exploitations of a kind which Forest Guards are ordinarily competent to perform.
	(5) Orderlies	... ..	Pay up to Rs. 8. Men employed for attendance on Gazetted Officers, Range Officers, etc.
	(6) Muharrirs	...Pay up to Rs. 25	For clerical work in Civil Offices which is paid for by the Forest Department, for instance, in Puri and Sambalpur.
* A. VI. b.	Mahouts.	Maximum pay...	Rs. 16
	Grass-cutters.	Do.	10
A. VII. b.	Chaukidars.	Do.	10 For the care of bunga- lows. Includes Sweeper Chaukidars and Mali Chaukidars.
			Rs.
A. VIII. c.	Surveyors.	Maximum pay	30
A. VIII. d.	Enumerators.	Do.	40
A. VIII. e.	Malis.	Do.	8
A. VIII. f.	Fire watchers.	Do.	6
A. VIII. g.	Shikaries.	Do.	8

Sub-head.	Designations of Officers on temporary establishment.		
B. I. c.	(1) Overseers. Pay Rs. 13 to Rs. 25	Men employed for works ordinarily performed by Foresters.	
	(2) Watchers. Pay up to Rs. 12	Men employed for works ordinarily performed by Forest Guards.	
	(3) Copyist, Rs. 15 to Rs. 30.	Rs.	
B. III. b.	(1) Khalasis. Maximum pay,	10	For charge of tents, etc.
	(2) Dāk runners. Do.	9	
B. III. f.	(1) Daftaris. Do.	12	For miscellaneous office duties; their employment is viewed with disfavour.
	(2) Chankidars Do.	6	
	(3) Sweepers Do.	5	Other than sweepers who are Chankidars in charge of bungalows.
	(4) Punkha coolies Do.	6	

6, Includes *tatti* coolies.

2. The Conservator is also empowered to vary details (namely, the rates of pay of particular posts, the number of hands employed and the period of employment) of the appointment of any temporary establishments employed under him, whatever the period of their

employment, provided the following conditions are observed :—

(a) The cost of the temporary establishment shall not be raised beyond the total amount sanctioned for the establishment by the authority which sanctioned its employment.

(b) Where the authority which sanctioned the employment of the temporary establishment is the Local Government the pay of no post shall be raised above Rs. 50 a month without the special sanction of the Local Government ;

(c) In other cases, the pay of no post shall be raised above the limit of sanction enjoyed by the authority which sanctioned the employment of the temporary establishment.

132. Officers of Forest Department exempt from prohibitions under Arms Act.

*I.—In exercise of the powers conferred by the provisos in column 3 opposite to clauses (3) and (5), respectively, of Schedule I to the Indian Arms Rules, 1909, the Lieutenant-Governor in Council is pleased to exempt from the operation of all prohibitions and directions contained in sections 13, 14, 15 and 16 of the Indian Arms Act, 1878 (Act XI of 1878), the officers of the Departments specified in the second column of the following table, whether in service in those Departments or on pensions granted on account of such service, in respect of the arms described in the third column of that table, when carried or possessed for their personal use in the Province of Bihar and Orissa :—

TABLE.

Department.	Class of officers.	Arms.
I	2	3
* * * *	* * * *	* * * *
Forest Department ...	Forest Rangers whose minimum pay is not less than Rs. 100 a month and officers of superior rank.	One smooth-bore gun.
	Extra Deputy and Extra Assistant Conservators.	One smooth-bore gun and one sporting-rifle other than magazine rifle.
* * * *	* * * *	* * * *

*Bihar and Orissa Government Notifications Nos. 1807-P., dated the 14th May 1915, and 68-P., dated the 7th January 1916.

*II.—In exercise of the powers conferred by the proviso in column 3 opposite to clause (8) of Schedule I to the Indian Arms Rules, 1909, the Lieutenant-Governor in Council is pleased to exempt the officers employed in the Province of Bihar and Orissa who are specified below from the operation of all prohibitions and directions contained in sections 13, 14, 15, and 16 of the Indian Arms Act, 1878 (Act XI of 1878), in respect of such arms as are supplied to them by Government to be carried or possessed by them for their protection in the execution of their duty :

Forest Department.—Rangers whose pay is less than Rs. 100 a month, Deputy Rangers, Forest Guards, and Foresters.

133. Uniform Rules.

RULES FOR THE WEARING OF UNIFORMS BY SUBORDINATE FOREST OFFICERS.

Approved in Government Order No. 1737-T. R., dated 30th September 1910.

1. All native subordinates in the Bihar and Orissa Forest Service are required to wear a uniform when on duty according to their rank.

2. The uniforms worn shall consist of the following :—

(a) *For Rangers.*

Cap.—Round, khaki coloured cap, with the letter "R" in centre worked in green silk thread with a leaf worked on either side.

Tunic.—Of khaki drill (khaki serge in winter if preferred), with silver thread round the collar and cuffs, and flat, silver-plated buttons with "F. R."

Riding Breeches or knicker-bockers.—Of khaki drill. Plain belt with small, silver-plated clasps. Putties or brown leather gaiters should be worn.

(b) *Deputy Rangers.*

Cap.—Round, black cap with letters "D. R." in white metal.

Tunic.—Khaki drill or khaki serge, with red worsted thread round collar and cuffs, with flat brass buttons with letters "D. R."

Knicker-bockers.—Of khaki drill with putties. Belt—leather with brass clasps.

(c) *Foresters.*

Same as above, but with letter "F" instead of "D. R."

(d) *Revenue Station Officers.*

Plain khaki drill suit and trousers and plain leather belt.

NOTE.—A sun helmet of the pigsticker type, covered with green shikar cloth, may be worn as a protection against the sun by such of the above establishment as are willing to provide it at their own expense.

Bihar and Orissa Government Notifications Nos. 831 F., dated the 14th May 1915, and 8370-F., dated the 21st August 1915.

(e) *Forest Guards.*

Khaki cloth puggies with green fringe at either end.

Tunic.—Khaki drill with green worsted thread round collar and cuffs and letters "F. G." in white metal on the collar. Plain, flat white metal buttons.

Knicker-bockers or Shorts.—Of khaki drill, or khaki-coloured *dhōti* and khaki-coloured putties.

Belt.—Of brown leather with Forest Department and name of Division on the badge.

Arms.—Forest Guards in Chota Nagpur will be supplied with a *dhātwa*.

(f) *Orderlies and Office Peons.*

Uniforms similar to that of Forest Guard, but without letters "F. G." on collar.

(g) *Chaukidars, Dāk-wallahs, Forest Paiks, and Fire Patrols.*

Puggi same as that of Forest Guard. Plain khaki drill or cotton jumper and belt. Knicker or *dhōti* of khaki cloth.

3. Uniforms will be supplied once annually at the cost of Government to all officials drawing less than Rs. 30 a month.

4. Uniforms will be obtained from such contractors, and at such rates as the Conservator, with the sanction of the Local Government, may fix from time to time.

5. Officers on probation and officiating will not be provided with suits at cost of Government. They will be required to appear in khaki-coloured clothes and will be supplied with belts and arms only. Officiating officers may make their own arrangements with officers going on leave.

6. To prevent impersonation of Forest officials all subordinates quitting the service will leave or send their uniforms to the Divisional Office. In the case of uniforms in good condition which are private property endeavours will be made to dispose of them at a fair price to probationers, etc., crediting the same to the owners.

7. The rates at present sanctioned are given in the following list :—

Cost of Uniforms.

No.	Particulars.	Price.	Total.
1	2	3	4
<i>Rangers' Uniform.</i>		Rs. a. p.	Rs. a. p.
One	Coat complete with buttons	7 0 0	
One	Pair knicker-bookers	2 4 0	
One	Pair putties	0 15 0	
One	Cap with badge	3 8 0	
One	Belt with badge	5 0 0	18 11 0
<i>Deputy Rangers' Uniform.</i>			
One	Coat complete with buttons	5 0 0	
One	Pair knicker-bookers	2 0 0	
One	Pair putties	0 15 0	
One	Cap with badge	2 8 0	
One	Belt	2 8 0	12 16 0
<i>Foresters' Uniform.</i>			
One	Cap with badge	2 4 0	
One	Coat complete with buttons	5 0 0	
One	Pair knicker-bookers	2 0 0	
One	Pair putties	0 15 0	
One	Belt	2 8 0	12 11 0
<i>Forest Guards' Uniform.</i>			
One	Coat complete with buttons	2 12 0	
One	Pair knicker-bookers	1 12 0	
One	Pair putties	0 10 0	
One	Khaki puggi with green fringe	1 10 0	
One	Belt	0 12 0	7 8 0

Forest Guards' badge (*chaprash*) at Rs. 2-12 when necessary.

134. Rules for the Supply of Stationery.

The supply of stationery is regulated by a fixed book credit, which is distributed by the Consolidating Officer to the Indenting Officer by annual allotment.

Bengal Government Resolution No. 471-Misc., dated the 26th May 1911, and Conservator's Circular No. 164-477, dated the 4th July 1911.

To enable the Conservator to make suitable alterations from year to year Divisional Forest Officers should submit (not later than the 15th May) a value forecast for the ensuing indent explaining differences from the value of the previous year's indent; the Conservator will then intimate the allotment for each Division on the 1st June. Indents must be prepared in accordance with the rules for the supply of stationery and the regular annual indent is due to reach the Conservator's Office not later than the 1st July.

Supplementary indents should rarely be necessary and should be accompanied by an explanation.

135. Rules for the Supply of Printed Forms.

The Forest Department Code Forms will be obtained by indent on the contractors with the Government of India stock forms and all other printed forms will be indented for from the Forms Manager, Bihar and Orissa, in accordance with revised rules for the supply and custody of printed forms in Bihar and Orissa.

136. Recess.

The Conservator may in the interests of the public service summon or permit to come to his headquarters for not more than two months in the period 1st June to 31st October any officer of the Imperial Forest Service or any officer of the Provincial Forest Service who is in charge of Forest Division, subject to the following conditions:—

- (a) That the work of the Forest Division will not suffer by the absence of the officer;
- (b) That no extra expenditure to Government is caused. (Officers must defray their own travelling expenses as well as the travelling allowance of any clerks or peons that they take with them);
- (c) That any officer shall be liable to be recalled at any time by the Conservator, and, when so recalled, shall bear all costs of his journey to his headquarters.

137. Applications for Leave.

(a) *Rules for the grant of casual leave and permission to leave the station or Province during such leave or during gazetted holidays.*

1. The nature of casual leave and the restrictions placed on its grant are explained in the note to Article 332 of the Civil Service Regulations. Government will not replace officers absent on such leave. The officer granting the leave and the officer taking it will be held responsible if the public service suffers in any way from the absence of the officer on casual leave.

2. Casual leave may not be combined with vacation or any other kind of leave, and may not ordinarily extend to more than ten days, exclusive of gazetted holidays, in any one calendar year. If in special circumstances the sanctioning authority grants, for urgent special reasons, more than ten days the fact with the reasons must be reported at once for the information of the authority immediately superior to the officer granting the leave.

If casual leave is taken in extension of gazetted holidays, such holiday will ordinarily be counted as part of the leave for the purpose of reckoning the total amount of such leave, but in cases of hardship this rule may be relaxed by the authority granting the leave.

3. Casual leave cannot be claimed as of right. These orders merely prescribe the maximum amount of leave which may be granted, and the Lieutenant-Governor in Council, while giving to certain officers discretionary powers to grant such leave, relies on them not to grant it when it is not actually necessary or when its grant would be opposed to the interests of the public service. Casual leave should not be granted in cases to which some other form of leave is appropriate.

4. Whenever any officer asking for casual leave or for leave of absence during holidays, desires to absent himself from the jurisdiction of the officer empowered to grant the request this fact must be clearly stated in his application.

5. Casual leave and leave of absence during gazetted holidays may be granted by the authorities indicated below :—

Sanctioning authority.

(1) Local Government

Subordinate Officers.

...	*	*	*	*
Heads of Departments (Heads of				
Departments subordinate to the				
Board of Revenue are required				
to report the grant of leave to the				
Board) ;				
*	*	*	*	*

*Sanctioning authority.**Subordinate Officers.*

(19) Conservator of Forests ... Deputy and Assistant Conservators
and Extra Deputy and Extra
Assistant Conservators.

* * * * *

(20) Divisional Forest Officers ... Non-gazetted and ministerial officers
of the Department.

* * * * *

6. The grant of casual or vacation leave does not by itself entitle an officer to go outside the province. Except in the case of short visits to Calcutta, permission to leave the province must be obtained expressly from the authority granting the leave. All officers proceeding on casual leave should inform their office of the address which will find them during their absence.

7. * * * * *

8. Every authority which grants casual leave shall cause a register of such leave to be maintained in the following form. The register should be regularly examined by the Inspecting Officers :—

Column 1.—Name and rank of officer to whom casual leave has been granted.

Column 2.—Date on which leave begins and ends.

Column 3.—Remarks.

(b) Extension of Leave.

When officers on leave wish to extend their leave they should apply for it in ample time to permit of sanction being accorded thereto before the expiry of the original leave granted. Should they fail to do this, and not return on the expiry of the leave originally granted, they will be considered as absent without leave and be liable to have their services dispensed with.

(c) Combined Leave.—Privilege Leave Pay may be drawn in England.

Officers who proceed to England on combined leave under Civil Rules have the option of drawing their privilege leave pay at the Home Treasury. This pay will be converted at the rate of exchange fixed for the time being for the adjustment of final transactions between the Imperial and Indian Governments : at present 1s. 4d. the rupee.

Government of India, Finance Department, No. 1282-F., dated Calcutta, the 7th March 1907.

138. Leave.—Date of Application.

Except in the case of leave on urgent private affairs or on medical certificate an officer should give at least three months' notice of his intention to apply for leave—*vide* Government (Appointment Department) order No. 857-A.-D., dated 2nd June 1911.

If the Conservator is desirous of proceeding on leave between the 1st Bihar and Orissa Government February and 31st July of any year, he should No. 8245-R. submit a report to the effect to the Local Government by the 5th December preceding. No. 111F-153, dated the 5th November 1914.

139. Taking of Employment while on Leave.

A gazetted officer, who is in receipt of furlough or leave allowances may not, without the special orders of the Government of India, take service under another employer in this country, and no such officer whose services have been lent to any other employer in India can take leave or obtain leave allowances from Government or from the employer to whom his services have been lent unless he actually quits his employment for the period of such leave. In the case, however, of a non-gazetted officer the special permission of his departmental superior may be accepted as sufficient authority.

The above orders referred to the acceptance of employment of a private or casual nature, and do not apply to the acceptance by officers while on leave of employment of the kind for which the Foreign Service Rules in Part VII of the Civil Service Regulations provide. An officer who, during leave, takes up an appointment which is such as should, for public reasons and not merely in his own interests be filled by a servant of Government, must be transferred thereto in the regular way by the authority empowered to authorize his transfer under the rules regulating transfers to foreign service. From the date on which he takes up the appointment he ceases to be on leave, and is no longer entitled to draw leave allowances from Government, and becomes an officer in active service drawing from his employer, pay fixed in accordance with rule.

Leave should not be granted to non-gazetted officers with the object of obtaining other employment without the Conservator's prior approval in each case. Conservator's Circular No. 213, dated the 20th November 1899.

140. Conveyance of Horses at Government Expense.

No. 1603 Ex., dated Simla, 10th April 1896.

Resolution—By the Government of India, Finance and Commerce Department.

READ AGAIN—

Resolution of the Government of India in the Finance and Commerce Department :—

No. 5942, dated the 1st November 1881.

No. 1672, dated the 12th June 1882.

No. 1517, dated the 20th June 1884.

Letter to the Government of Madras, No. 3115, dated the 27th June 1890.

RESOLUTION.—It has been brought to the notice of the Government of India that the provisions of Article 1093 of the Civil Service Regulations are sometimes applied to cases in which it does not appear that the interests of the public service require officers to send their horses or camp equipment by steamer or railway. In framing the rule contained in Article 1093 and in allowing Local Governments to delegate their powers under that rule to Heads of Departments and other authorities it was not the intention of the Government of India that officers should, when making ordinary journeys on tour or transfer, be entitled, in addition to drawing travelling allowance, to convey their horses or camp equipment at Government expense, even when the nature of their duties requires them to maintain horses or camp equipment. The rule was intended to meet the more or less exceptional case of an officer requiring, for the discharge of his official duties, to make use of his horses or camp equipment in one place immediately or very shortly after having had to use them in the public service in another place and who is therefore obliged in the interests of the public service to convey them by railway or steamer. It is only therefore when it is shown that public interests would suffer, if an officer sent on his horses or camp equipment by road or country cart, or (in cases of distant transfers) if he sold and replaced them, instead of despatching them by quickest means at his command, that the cost of their conveyance by rail or steamer should be sanctioned. It also follows that the concession should not be made to an officer who sends forward his horses in order to avoid the expense of hiring the means of conveyance on a journey for which he draws travelling allowance, for that is the very charge which the travelling allowance is in such a case meant to defray. Nor can the rule be applied to meet the charges for conveyance to the officer's station of a horse or of equipment purchased from a place at a distance.

2. The Government of Bombay have from time to time issued orders with a view to restrict the application of Article 1003 to the cases which it is intended to meet, and in the opinion of the Government of India, it is desirable that other Local Governments should issue instructions to a similar effect. The Government of Bombay require the authorities to whom they delegate the powers conferred on them by Article 1003 to submit twice a year a return of sanctions given, with brief notes explaining the circumstances of each case. They also prohibit these authorities from sanctioning the conveyance at Government expense of more than two horses.

3. The Government of India do not desire to lay down a hard and fast rule limiting the powers at present conferred on Local Governments for the sanction of the conveyance of horses or camp equipment at Government expense. But in future Local Governments should confine the application of the existing rule to those cases to which the first paragraph of this Resolution shows they are meant to apply, and they should issue any instructions which may appear necessary to ensure that the authorities subordinate to them do not grant the concession in cases when the officers themselves should properly bear the charge of conveyance.

141. Travelling allowance admissible to an officer on transfer after the 28th August 1914.

(a) Railway and Steamer fares admissible under the existing rules and

G. I. F. D. Despatch to the Secretary of State No. 157, dated the 16th April 1914.

Despatch from the Secretary of State No. 89 (Financial), dated the 7th August 1914 (received 29th August 1914).

G. I. H. D. No. 1693, dated the 23rd November 1914.

G. I. F. D. No. 51-D. D., dated the 13th January 1915.

G. I. H. D. No. 627, dated the 8th May 1915.

G. I. H. D. No. 1032, dated the 30th June 1915.

G. I. H. D. No. 1147, dated the 9th July 1915.

free transport of personal effects by goods train or steamer or other craft up to a maximum of 40, 20 and 10 maunds, respectively, are admissible for the three classes of officers in superior service given in Article 1002 of the Civil Service Regulations. In case the personal effects are carried by passenger instead of by goods train, the expenditure that would have been incurred in carrying them by goods train may be allowed. The charges for the transport of personal effects of an officer may be admitted within a reasonable time before or after the date of this journey on transfer if they do not for good and sufficient reasons accompany him.

(b) Free transport of one horse for a 2nd class officer and two horses or a motor-car for a 1st class officer, subject to the following conditions:—

(i) that the distance travelled exceeds 80 miles;

(ii) that the officer's duties involve touring or similar work necessitating his keeping his own horses;

- (iii) that the car is actually carried by rail or steamer or other craft ;
- (iv) that the rates allowed for the transport of the car are those charged by the railway or steamer companies for carrying cars at owner's risk ; and
- (v) that the officer holds an appointment in which the possession of a motor car or a horse is advantageous from the point of view of his efficiency. The concession regarding the free transport of horses or motor cars is not admissible, for instance, to an officer who uses a horse or a motor car merely to take him to office or to an officer who is transferred from a touring to a Secretariat appointment.

The above rules apply to all transfers whether between or within districts, provided that the officer is transferred for the public convenience. But at the same time the rule in Article 1008 of the Civil Service Regulations shall continue to be in force in the case of those officers to whom it at present applies.

NOTE 1.—The application of Article 1007 of the Civil Service Regulations is now restricted to journey on tour only.

NOTE 2.—No charges on account of transport of personal effects can be admitted in audit without a voucher or certificate of payment. If, for any reason, such a voucher showing the actual weight for which the charge is made is not forthcoming, a certificate showing the actual weight of luggage transferred should be attached (*vide* Accountant-General, Bihar and Orissa's Circular No. 61, dated the 9th March 1916).

142. Medical Attendance.

All officers of Government, whether gazetted or not, living at the headquarters station of a district and drawing a salary of Rs. 250 and over, are entitled to gratuitous medical attendance from Civil Surgeons.

Government of India Resolution
No. 12—351-31, dated the 16th
August 1884.

All clerks of all Government offices are entitled to gratuitous medical attendance and medicines for themselves. Clerks drawing less than Rs. 250 per mensem are entitled to the services of the Assistant Surgeon or medical subordinate provided for the purpose, it being understood that the attendance of the Civil Surgeon should be given in all cases of emergency or of great danger or difficulty, when applied for by the subordinate medical attendant.

Government of India Resolution
No. 14—417-64, dated the 23rd
October 1884.

At any station the Sub-Assistant Surgeon should attend at their own residences upper subordinate grades of Government servants, including clerks. As regards Government servants of inferior grades and servants of Government employes these should be treated at dispensaries or hospitals.

Government of India letter No.
3980, dated the 31st August 1869.

143. Rules regarding the grant of Medical Certificates to officers applying for leave, extension of leave, or retirement, and also to selected candidates for Government Service.

[Extract from Bengal Government Resolution No. 8809, dated the 30th June 1897, and Bihar and Orissa Government Resolutions Nos. 3025-M. dated the 30th March 1914, 179-M., dated the 6th January 1915 and 15832-M., dated the 24th December 1915.]

(1) Except in cases of gazetted officers who come under Article 828 of the Civil Service Regulations, Civil Surgeons, before granting medical certificates to applicants for leave or extension of leave, should see that they appear before them with the cognizance of the Heads of their Departments.—Article 834 of the Civil Service Regulations.

(2) Civil Surgeons will examine officers, grant or countersign certificates if required, relating to persons of all departments who belong to, or are employed in their districts. They will on no account examine or countersign a certificate for a person attached to another district except under the circumstances described in clause (3).

(3) In cases of officers who, while at a station other than that from which they went on leave, are desirous of obtaining an extension of leave on medical certificate, Civil Surgeons should, before they grant a certificate, ascertain particulars regarding the applicant's previous medical history and the fact that this has been done should be mentioned in the certificate.

(4) In cases of gazetted officers applying for leave or extension of leave certificates should be granted in the forms prescribed in Article 828 of the Civil Service Regulations. Civil Surgeons should also furnish two copies of the statement of the case in the form now in use. In cases of officers, for whom leave out of India is recommended, the medical papers should be prepared in triplicate.

(5) Certificates recommending retirement of officers, whether gazetted or not, should be granted in the forms prescribed in Article 147 of the Civil Service Regulations, provided that they appear before Civil Surgeons with the cognizance of the Heads of their Departments. In such cases one copy of the certificates is sufficient. In these cases also, the usual statement of the case should be furnished.

(6) In case of non-gazetted officers to whom medical certificates recommending leave or retirement are granted, the impressions of the thumb and all the fingers of the left hand should be obtained on the certificates.

(7) Upon requisition from proper authority Civil Surgeons shall examine

Article 49, Civil Service Regulations, and paragraph V of the Government of Bengal Resolution No. 3390-M., dated the 30th June 1897.

and grant health certificates to selected candidates for employment in Government Service in the forms prescribed for the purpose according to the circumstances of each case.

NOTE 1.—The term "selected candidates" includes only those persons who can produce a requisition for medical examination from an officer who is making an appointment to a permanent post under Government supported by a certificate to the effect that they have been selected for that post subject to their obtaining a medical certificate. In those cases only health certificates will be granted free of charge.

NOTE 2.—In other cases where a person is a candidate for an office, a fee of Rs. 4 will be payable for health certificate.

8. Medical certificates granted to selected candidates for employment in Government service will ordinarily be in Form I, but certificates in Form II will be given when specially required by the Head of the Département. Those granted to officers in the service of Government, whether gazetted or non-gazetted, will be in Form III, which is prescribed in Article 828 of the Civil Service Regulations.

(In the case of selected candidates for the Provincial Service, the certificate will be in Form II.)

NOTE 1.—The certificate prescribed by this rule for ordinary use is the same as that prescribed by Article 49 of the Civil Service Regulations, but the rule leaves open to any Department which requires its officers to be capable of standing hard out-door work to demand a special certificate in Form II.

NOTE 2.—Candidates seeking service under Government should be required to declare in their applications whether they have at any time been pronounced unfit for Government employment by the Medical Board at the India Office or any other duly constituted medical authority. The following addition shall be made in the forms of certificate (Nos. I and II) appended to the Resolution of the 30th June 1897 :—

"DECLARATION BY CANDIDATE"

(Name in full.)

"I

, a candidate for employment in the

Department of the Government of Bihar and Orissa, do hereby declare that I have not at any time been pronounced unfit for Government employment by the Medical Board at the India Office in England or any other duly constituted medical authority.

Dated

19.

Signature of candidate."

(9) The medical papers should be forwarded by Civil Surgeons to the heads of the applicants' departments at whose request they examined the officers and granted the medical certificates and the statement of case.

FORM I.

I do hereby certify that I have examined *A. B.*, a candidate for employment in the _____ Department, and cannot discover that he has any disease, constitutional affection or bodily infirmity, except _____. I do not consider this is a disqualification for employment in the office of _____.

A. B.'s age is, according to his own statement (X) years, and by appearance about (Y) years.

FORM II.

Special Certificate of Physical Fitness for Government Service.

I, _____, do hereby certify that I have examined _____, a candidate for employment in _____.

His age is by his own statement _____ years, and by appearance _____ years.

- (a) General confirmation.
- (b) Vision.
- (c) Hearing.
- (d) Lungs.
- (e) Heart.
- (f) Liver.
- (g) Spleen.
- (h) Hernia, present or absent.
- (i) Hydrocele, present or absent.
- (k) Glycosuria, present or absent.
- (l) Albuminuria, present or absent.
- (m) Distinguishing marks.

I consider that he is of sound health and good physique, and capable of bearing fatigue and exposure, and that he is fit to enter the service of Government.

I consider him unfit to enter the service of Government for the reason given at

Place

Date

FORM III.

I, *A. B.*, Surgeon at (or of) _____, do hereby certify that *C. D.*, of the _____ service, is in a bad state of health and I solemnly and sincerely declare that, according to the best of my judgment, a change of air is essentially necessary to his recovery, and do therefore recommend that he may be permitted to proceed to sea (or to such place as the Surgeon may think proper, expressing it in the certificate).

144. Grant of certificates by Medical Boards to Officers applying for leave, extension of leave, or retirement, and to selected candidates for Government service.

[Extract from Bihar and Orissa Government Resolution No. 3925-M., dated the 30th March 1914.]

1. In the case of applicants for leave or retirement, Medical Boards will on requisition from the Heads of their departments and the submission of complete medical papers, including previous records, if available, examine persons, and, if they deem it proper, grant certificates recommending leave, or retirement.

2. The certificates in cases of officers applying for leave (gazetted officers) should be granted in the forms prescribed for the purpose in Article 823 of the Civil Service Regulations. In cases of officers who are recommended leave out of India the Board's certificates should be prepared in triplicate.

3. In the case of an officer who may be considered unfit for further service (gazetted or not) the certificate should be granted according to the circumstances of each case in the forms prescribed in Article 447 of the Civil Service Regulations.

4. Non-gazetted officers, who are applicants for leave, are not required to appear before the Medical Board, except in cases coming under Article 197(c) of the Civil Service Regulations. In such cases, certificates containing the recommendation of the Medical Board should be granted in manuscript form.

5. Copies of the Medical Boards' proceedings should be kept in the offices of Civil Surgeons of districts where the Boards are assembled.

6. The Boards' proceedings in original, together with the connected medical papers, should then be sent as soon as possible to the Heads of Departments under whom the applicants are serving.

7. In cases of retirement of non-gazetted officers only impressions of the thumb and all the fingers of their left hand should be taken, on the medical certificates, according to the rules.

Rule VII of the rules for the grant of medical certificates issued with Bengal Government, Municipal Department, Resolution No. 3149-M., dated the 30th June 1897, and Circular No. 30-M., dated the 2nd August 1897, from the Government of Bengal, Municipal Department, to the Inspector-General of Civil Hospitals, Bengal.

8. In every case, if the opinion of the Medical Officer is unfavourable to the applicant, an appeal will lie to the Medical Board within fifteen days from the date of the medical certificate granted by the Medical Officer and the Board's decision shall be final.

9. In cases of appeal from selected candidates for employment in Government Service who have been disqualified by a Civil Surgeon, Medical Boards should examine and grant such certificates as they may think necessary in the forms prescribed for the purpose.

145. Medical Leave not granted to officers unfit to return to India.

1. * * * * *

2. As the Medical Board in question considered Mr.

166 Enclosure to B. & O.
Memo. No. 2272-2 801, dated the
20th July 1912.

unfit to serve again in a tropical climate they should not have recommended the grant to him of leave on medical certificate, and I request that Your Excellency's Government will cause

instructions to be issued, and embodied in the Civil Service Regulations, which will prevent Medical Officers from recommending the grant of sick leave in any case in which there appears to be no reasonable prospect that the officer concerned will ever be fit to return to duty. These instructions should be regarded as of general application, and not as confined to the cases of officers under agreement.

3. Further, as inconvenience has at times been caused owing to a Medical Board in India recommending the grant of leave to officers serving under agreements in cases where either no leave, or a less amount than that recommended was admissible, I think it desirable that it should be laid down that all certificates of Medical Boards or of Medical Officers, granted under the provisions of Article 820 or 831 of the Civil Service Regulations (or under any similar rules applicable to particular classes of officers) should contain a proviso that no recommendation in them shall be evidence of a claim to any leave which may not be admissible to an officer under the terms of his contract or the rules to which he is subject. It is possibly not desirable to do anything to interfere with the urgency of departure from India under doctors' orders, but it must be made clear that doctors' orders cannot in themselves modify the rules and conditions of service of the officer concerned.

4. Finally, in order to avoid in future the possibility of misunderstanding, such as appears to have arisen in the present case, I request that, whenever it is found necessary to determine the service of an officer within the period of his agreement, a specific intimation of the determination of the agreement and of the grounds on which it has been determined shall be furnished to the officer in writing. Instructions should be issued for the adoption of this procedure.

146. Formation of Medical Boards for Officers retiring, etc.

1. The Lieutenant-Governor in Council has had under consideration the question of arranging for Medical Boards for the purpose of examining officers who may require leave, or may wish to retire, on medical grounds. It has been decided that it is not necessary, and that it would be inconvenient, to have a regular or standing Medical Board at Ranchi, and that requirements will, for the present, be met most suitably by convening Medical Boards at the headquarters of Divisions as they may be required. Officers will appear before the Board at the headquarters of the Division in which they are serving, excepting that officers serving in the district of Palamau will appear before the Board at Bankipore while those serving in the district of Sambalpur will appear before the Board at Ranchi.

2. Heads of offices should in all cases send to the Civil Surgeon of the divisional headquarters station not less than *ten clear days' notice* of their intention to send applicants before the Boards. The Civil Surgeon of the station, whether presiding at the Board or not, will make the necessary arrangements for convening it. In the case of Ranchi the notice should be given to the Inspector-General of Civil Hospitals, Bihar and Orissa. The Inspector-General, if present, will preside at Medical Boards, otherwise the Senior Indian Medical Service Officer present, will preside.

3. The Medical Boards at the different centres will be constituted as follows, all the members being *ex officio* :—

Place of Meeting.	Members.
I. <i>Ranchi</i> ... The office of the Inspector-General of Civil Hospitals.	(1) The Inspector-General of Civil Hospitals. (2) The Civil Surgeon Ranchi. (3) The Assistant Surgeon in charge of the, Doranda Hospital.

Place of Meeting.

Or in the absence of the
Inspector-General of Civil
Hospitals.

Members.

- | | |
|--|--|
| | (1) The Civil Surgeon of Ranchi. |
| | (2) The Civil Surgeon of Manbhum. |
| | (3) The Assistant Surgeon in charge of the Doranda Hospital. |
| II. <i>Bhagalpur</i> ... The office of the Civil Surgeon. | (1) The Civil Surgeon of Bhagalpur. |
| | (2) The Superintendent of the Bhagalpur Central Jail |
| | (3) The Assistant Surgeon in charge of the Bhagalpur Dispensary. |
| III. <i>Banikpur</i> ... The office of the Civil Surgeon. | (1) The Civil Surgeon of Patna. |
| | (2) The Civil Surgeon of Shahabad. |
| | (3) The Senior Civil Assistant Surgeon in Bankipur. |
| IV. <i>Muzaffarpur</i> ...The office of the Civil Surgeon. | (1) The Civil Surgeon of Muzaffarpur. |
| | (2) The Civil Surgeon of Champaran. |
| | (3) The Assistant Surgeon in charge of the Muzaffarpur Dispensary. |
| V. <i>Cuttack</i> ... The office of the Civil Surgeon. | (1) The Civil Surgeon of Cuttack. |
| | (2) The Civil Surgeon of Puri. |
| | (3) The Senior Civil Assistant Surgeon in Cuttack. |

147. Memorandum of information for the Guidance of Patients proceeding to Kasauli for Anti-rabic Treatment at the Pasteur Institute.

1. Kasauli is situated in the Lower Himalayas at about 6,000 feet above sea level. It is very cold in winter there, and sometimes the snow lies on the ground for weeks together. Patients should, therefore, provide themselves with a sufficiency of warm clothing and bedding.

2. The most convenient railway station for Kasauli is Kalka, on the East Indian Railway, $9\frac{1}{2}$ miles distant from the Pasteur Institute. The road from Kalka is all up-hill. Ponies, Dandies, dhoolies, rickshaws and coolies are available for the carriage of passengers and baggage.

3. In Kasauli there is a Dāk Bungalow, hotels, and boarding houses and the Club is a residential one. A house, "Drumbar", with five sets of quarters, is attached to, and is under the superintendence of, the Institute. This is intended strictly for Europeans and Anglo-Indians, and for such of them only as are unable to afford hotel rates. The charges are Rs. 2-8-0 per day per person, everything included. British soldiers receive quarters at the Station Hospital. For Indians who cannot afford to rent a house in the bazar, which is about half-a-mile from the Institute, "Lines" have been provided where they may live during treatment. Indigent patients are supplied with warm clothing, blankets, and cooking utensils when necessary. No charge is made for these. Indian soldiers are accommodated in "The Lines".

4. The treatment is free of all charge; and, if the instructions laid down by the Director are followed, persons undergoing treatment are not rendered ill in any sense of the term. The course lasts fourteen days.

5. Patients should proceed to Kasauli as soon as possible after being bitten. Illiterate patients sent by employers and Government officials should be given a letter, stating all details as to the manner in which they were bitten, the fate of the attacking animal, and the total number of persons and animals known to have been bitten by the rabid animal.

6. Patients who are sent by, or at the expense of, private employers, friends and other private persons or associations should also be provided by them with the cost of their return journey and with sufficient money to pay for their food during the course of treatment which lasts two weeks. If desired, money for these purposes may be sent to the Director of the Institute, and this course is strongly recommended in the case of menial servants and illiterate or other irresponsible people.

7. The railway parties to the Indian Railway Conference Association,

Assam-Bengal Railway.
 Baraset-Basirhat Railway.
 Buxi Light Railway.
 Bengal Doonars Railway.
 Bengal-Nagpur Railway.
 Bhavnagar Railway ... } (Formerly known as Bhavnagar-
 Gondal-Forbandar Railway } Gondal-Junagad-Forbandar
 Junagad Railway ... } Railway.
 Jannagar Railway ... }
 Bombay, Baroda and Central India Railway.
 Bakhtiarpur-Behar Railway.
 Barua Railway.
 Dholpur-Bari Railway.
 Eastern Bengal State Railway.
 East Indian Railway.
 Great Indian Peninsular Railway.
 His Highness the Nizam's Guaranteed State Railway.
 Howrah-Amtah Railway.
 Howrah-Sheekhala Railway.
 Jodhpur-Bikaner Railway.
 Madras and Southern Mahratta Railway.
 North-Western State Railway.
 Oudh and Rohilkhand State Railway.
 Shabdara-Saharanpur Light Railway.
 South Indian Railway.
 Udaipur-Chitorgarh Railway.
 Morvi Railway (third-class tickets issued at half fares).

which are noted on the margin, allow concessions to indigent patients and their attendants proceeding to the Pasteur Institute at Kasauli for anti-rabic treatment under the conditions noted below :—

- (a) An indigent person not in the public service (together with one attendant, when such indigent person is a woman or is a child under 10 years of age, or is a man who, by reason of age or other sufficient cause, is incapable of travelling alone) will be granted third-class tickets free of charge ;
- (b) Tickets for the return journeys will be issued on production of a certificate signed by the authorities of the Pasteur Institute ;
- (c) Only one attendant as above will be allowed with each patient or each party of patients of the same family ;
- (d) the requisition for tickets must have the impression of the official seal of the office from which issued ; it must be signed by one of the authorities, namely, Commissioned Medical Officers, Civil Surgeons, Military Assistant Surgeons, Civil Assistant Surgeons and Civil Apothecaries in independent charge of hospitals, and when there is no medical officer present at the station by Collectors or Commissioners, Divisional officers, Tahsildars, or Taluqdars, Deputy Tahsildars in independent charge, officers of the Police Department of and above the rank of Deputy Superintendent, Sub-Registrars and Sub-Assistants of Survey. In the absence of a gazetted officer the highest Civil authority in the place is empowered to issue the requisition.

Treasurers and alterations in a requisition must be initialled by the issuing officer.

8. The Government of India have granted both to Government servants and to such indigent persons as are unconnected with the public services and are not assisted by private employers, etc., certain concessions to enable them, when bitten by a rabid animal, to proceed without delay to the Pasteur Institute at Kasauli for treatment.

9. Rules for advances to enable officers and others to reach Kasauli are contained in Article 137 (4), Civil Account Code.

148. Employment of non-Biharis.

While the greatest care should be taken to do no injustice to clerks and other employes who have been transferred to this Province from Bengal and Eastern Bengal and Assam, many of whom have been put to considerable personal inconvenience and expense, the Local Government have ordered that all future vacancies that may occur should be filled up, unless it is really impossible to do so, by the recruitment of natives of Bihar and Orissa, including bona fide domiciled Bengalis. In the latter case, however, the question of domicile in each case also must be carefully examined.

The Local Government further directs that a list of cases in which the want of qualified Biharis and Oriyas obliges the giving of appointments to persons who are not natives of this Province be strictly and carefully maintained, and that the list should show the reason for departures from the order in every case. The lists should be submitted to the Conservator's office, half-yearly, on 15th January and 15th July.

CHAPTER III.

Rules for the Recruitment and Training of Forest Officers.

149. * Rules for the selection of Bihar and Orissa candidates for deputation to the two years' Ranger Course at the Forest College, Dehra Dun.

1. The number of candidates to be selected annually depend on the requirements of the Department, but ordinarily will not exceed two.

2. Candidates for these appointments must apply to the Conservator of Forests, Bihar and Orissa, and their applications must be accompanied by the certificates mentioned in paragraph 6 of these rules. Candidates must have passed the Entrance or Matriculation examination of a recognized Indian University and preference will be given to those who, in addition to possessing the necessary physical qualifications for service in the Forest Department, have passed the First Examination in Arts.

* Vide Notification No. 5431-B (B), dated the 6th November 1912.

3. From the applications received the Conservator of Forests will make a preliminary selection and the candidates so selected will be required to present themselves before the Conservator at a time and place to be fixed by him. From the candidates present the Conservator will make a further selection of not more than twice the number of men to be deputed to the Rangers' Course at the Forest College in the ensuing year.

4. Candidates so selected will be required to undergo a course of preliminary practical training in such Forest Division or Divisions as the Conservator of Forests may prescribe. This course of training may extend to six months, and during it candidates will be granted a monthly allowance at the rate of Rs. 25, which is intended to cover their expenses. The Conservator of Forests will dispense with the services of candidates whose work or conduct during this preliminary training is unsatisfactory.

5. The final selection of candidates for deputation to the Forest College will be made by Conservator of Forests in accordance with the results of this practical training, preference being given to the men who promise to make the best Forest officers.

While at the Forest College the selected candidates will be granted a monthly stipend of not less than Rs. 40 and not more than Rs. 50, provided they execute the agreement and security bond prescribed by Government. The actual stipends within these limits will depend upon the candidates' work at the Forest College.

6. Candidates who obtain the Higher or Lower Standard certificates will be appointed Rangers or Deputy Rangers on monthly salaries of not less than Rs. 50 and Rs. 40, respectively.

Except for special reasons and under the special orders of the Local Government in each case, candidates must be between the ages of 18 and 25 on the 1st April in the year in which the course begins.

With applications made under Rule 2 the following certificates must be submitted :—

- (a) A certificate that the candidate is a "Native of India" within the meaning* assigned to these words by section 6 of 33 Vict., Chap. 3.

N. B.—This certificate may be omitted in the case of private students deputed by British Colonies,

- (b) A certificate of age.

* "Native of India" means any person born and domiciled within the dominions of His Majesty in India, or within the territories of Indian Princes tributary to or in alliance with His Majesty, of parents habitually resident in India and not established there for temporary purposes only. (Article 37, Civil Service Regulations.)

- (c) A health certificate in the form prescribed by Article 49 of the Civil Service Regulations, 5th Edition, signed by a Civil Surgeon or such other qualified Medical Officer as may be approved by the President, and testifying to the candidate's sound constitution, vision and hearing, and general physical fitness for a rough outdoor life in the Forest Department, and to the fact that he bears on his body marks of successful vaccination or of small-pox.
- (d) A certificate showing the candidate is of good social standing and good moral character.

The certificates (c) and (d) must date not further back than the 1st April of the year previous to that in which the candidate desires admission to the College.

- (e) A certificate that the candidate possesses a thorough knowledge of good colloquial English which will permit of his following a highly technical course, and is generally of good education.

Certificates (d) and (e) must be signed by the Conservator of Forests, District Officer, Political Agent or a British Government Gazetted Officer of high standing.

The Inspector-General of Forests may, should he consider it desirable, relax any of the conditions imposed under this rule.

- (f) A certificate of having passed one of the following examinations, viz. :—

- (1) The B.A., F.A., B.Sc., or Licentiate of Agriculture.
- (2) The Matriculation, where no School Final Examination exists.
- (3) The School Final Examination, provided the candidate can show that he has qualified in English and Mathematics up to the Matriculation standard, or for European candidates, a certificate of having passed the High School examination with a similar proviso.

7. Nominated candidates will be required to execute a bond and agreement in forms Nos. 45 and 46, Appendix 5 of Vol. II.

150. Rules for the entry into the Forest Department as Rangers, of Indian Non-Commissioned Officers of His Majesty's Indian Army and of the Imperial Service Troops.

(Vide Government of India Circular No. 32-2362-F., dated the 22nd October 1910, in supersession of Government of India Circular No. 28-F., dated the 30th November 1893.)

I. Any such officer who is recommended for the purpose by his Command-

*Addresses of Conservator of Forests in provinces other than Madras and Bombay :—

Bengal Circle, Darjeeling.

Assam Eastern Circle, Shillong.
Western

United Provinces—

Eastern Circle, Naini Tal.
Western

Central Provinces—

Southern Circle, Nagpur.
Northern Circle, Jabalpur.
Bihar Circle, Amraoti.
Punjab Circle, Lahore.
Bihar and Orissa Circle, Ranchi.

Burma—

Northern Circle, Maymya.

Southern
Pegu

Tenasserim Circle, Rangoon.

ing Officer may apply to a Conservator* of Forests in the province in which he desires to be employed for permission to follow the course of instruction in the Ranger class at the Imperial Forest College at Dehra Dun with a view to secure, after successfully passing through the College and obtaining a certificate, an appointment as Forest Ranger in the Subordinate Forest Service.

II. The Conservator to whom application is made must be satisfied—

(a) that the candidate will not be more than 30 years of age when he enters the College;

(b) that he has been sufficiently

well educated, specially in Mathematics and English, to enable him to follow the College course with advantage and to obtain a Ranger's certificate;

(c) that he is of good constitution and active habits, and possesses fair ability and powers of observation as well as such physical qualifications as are required for a good Forest Officer.

III. If the conditions in the preceding rule are satisfied and the candidate is accepted by a Local Government for an appointment in the Subordinate Forest Service, he may be admitted to the College, and be allowed to receive the stipend admissible to Government probationary students under the Forest College rules while at the College, with the exception that he need not attend drills, he will in all respects be subject to the rules for the time being in force, a copy of which can be obtained from the Principal of that institution.

IV. On obtaining a certificate at the conclusion of the Ranger's course the candidate will be eligible to be appointed as Ranger. On being so appointed he will be subject, as regards future promotion, to the regulations of the Forest Service for the time being. As regards other conditions of service the candidate either shall, on obtaining his appointment to the Forest Department, take his discharge from the Army and then 12 months of his

period of instruction at the Forest College will count as service under Article 356, rule (3) of the Civil Service Regulations, 5th Edition, or he may serve in the Forest Department and be transferred to the Native Unattached List under the conditions in Army Regulations, India, Volume II, paragraph 388, and in that case he will qualify for the special rates of pension admissible under military regulations [see Army Regulations, India, Volume I, paragraph 1044 (a) (v)]

V. During the College course the candidate will be seconded in his corps which he shall rejoin if he fails in obtaining a certificate.

The Government of India are pleased to direct that Native Non-Commissioned Officers of the Imperial Service Troops shall be eligible for admission by the Forest Department as Rangers under the rules contained in the Resolution of the Government of India in the Revenue and Agricultural Department No. 32-F-236-2, dated the 22nd October 1910, for the appointment and training of Native Non-Commissioned Officers of His Majesty's Indian Army, provided that a candidate from the Imperial Service Troops can obtain a nomination for an appointment under a Local Government or Administration.

Rules IV and V of the rules referred to above, so far as they related to conditions of Military Service, will not apply to candidates from the Imperial Service Troops.

151. Rules for the recruitment of the Provincial Forest Service in Bihar and Orissa.

1. Subject to the satisfaction of the claims of persons already qualified under the rules hitherto in force, appointments to the Provincial Forest Service shall be made :—

Notification No. 9225
III-F-III B.,
dated the 14th December 1914.

(a) by the promotion of Forest Rangers of long service and tried ability and probity irrespective of the educational-qualifications they may hold ; or

(b) by the selection for direct appointment of candidates who must successfully pass the two years' course at the Forest Research Institute, Dehra Dun, and thereafter serve for a minimum term of two years as Probationary Extra Assistant Conservator of Forests.

2. Candidates for direct appointment must apply to the Conservator of Forests, Bihar and Orissa, not later than July in any year in which there are vacancies and their applications must be accompanied by the certificates mentioned in paragraph 6 of these rules. From the applications received the Conservator of Forests will make a preliminary selection with special reference to high educational and social qualifications and to physical fitness for work in the Forest Department.

(i) Candidates so selected will be required to undergo a practical physical test and a qualifying examination in English and after these have been passed a qualifying examination in Mathematics. The physical test and examination will ordinarily be held at the headquarters station of the Conservator of Forests. The physical test will be prescribed by the Conservator of Forests, subject to the approval of the Local Government and candidates who fail to pass it successfully will be precluded from appearing at the examination in English and Mathematics.

(ii) The physical test and the qualifying examination in English will be held in September or October each year on a date to be fixed by the Conservator of Forests. The examination in English will consist in writing a full précis of two passages, one read out by a European and the other by an Indian officer, followed by a colloquial examination.

(iii) The qualifying examination in Mathematics will be held early in October each year on a date to be fixed by the President of the Forest College at Dehra Dun. The examination will consist of two papers, one in arithmetic and algebra and the other in geometry and trigonometry to each of which three hours will be allowed. The standard in Mathematics will be approximately that of London Matriculation and will comprise a knowledge of arithmetic, algebra up to and including quadratic equations and simple problems, mensuration, geometry (including the first three Books of Euclid) and elementary trigonometry including the solution of triangles and the use of logarithms. No candidate who fails to obtain half the full marks in each paper will be considered to have passed.

(iv) On the results of the above examination the Conservator of Forests will make a further selection from amongst the successful candidates of not more than twice the number of men to be deputed to the Provincial Forest Service in the ensuing year.

3. Candidates so selected will be required to undergo a preliminary practical training in such Forest Division or Divisions as the Conservator of Forests may direct, in order to prove their fitness for forest work.

Such training may extend to a period of not more than six months. During the preliminary training candidates will receive such consolidated allowance as may be ordered by the Local Government.

4. The final selection of candidates for deputation to the Forest College will be made by the Local Government in accordance with the results of the practical training as reported by the Conservator of Forests, preference being given to those men who promise to make the best Forest Officers.

5. Except for special reasons, and under the special orders of the Local Government in each case, candidates must be between the ages of 18 and 25 on the 1st July in the year in which the course begins. The Inspector-General of Forests has the power to relax the above rule.

6. The following certificates must be forwarded with applications :—

(a)* A certificate that the candidate is a "Native of India" within the meaning assigned to these words by section 6 of 53 Viet., Chap. 8.

N. B.—The certificate may be omitted in the case of private students deputed by the British Colonies.

(b) A certificate of age.

(c) A health certificate in the form prescribed by Article 49 of the Civil Service Regulations, 5th edition, signed by a Civil Surgeon or such other qualified Medical Officer as may be approved by the President and testifying to the candidate's sound constitution, good vision and hearing and general physical fitness for a rough outdoor life in the Forest Department, and to the fact that he bears on his body marks of successful vaccination or of small-pox.

(d) A certificate showing that the candidate is of good social standing and good moral character.

The certificates (c) and (d) must bear date not further back than the 1st April of the year previous to that in which the candidate desires admission to the College.

(e) A certificate that the candidate possesses a thorough knowledge of colloquial English, which will permit of his following a highly technical course, and is generally of good education.

* "Native of India" means any person born and domiciled within the dominions of His Majesty in India, or within the territories of Indian Princes tributary to or in alliance with His Majesty, of parents habitually resident in India and not established there for temporary purposes only (Article 87, Civil Service Regulations).

Certificates (d) and (e) must be signed by a Conservator of Forests, District Officer, Political Agent, or a British Government Gazetted Officer of high standing.

The Inspector-General of Forests may, should he consider it desirable, relax any of the conditions imposed under this rule.

(f) A certificate of having passed one of the following examinations, viz. :—

- (1) The B.A., F.A., B.Sc., or Licentiate of Agriculture.
- (2) The Matriculation where no School Final Examination exists.
- (3) The School Final Examination.

7. Nominated candidates will be required to execute a bond and agreement in forms Nos. 47 and 48 (Appendix 5 of Vol. II).

8. Government probationary students will receive their actual expenses as Officers of the second-class (as defined in Article 1002 of the Civil Service Regulations) for journeys performed by them on originally joining the College and on leaving it on completion of the course, and also for journeys by rail or steamer performed in connection with their studies at the College.

9. Selected candidates may during the two years' course at the Research Institute receive a stipend of which the amount will be dependent upon their work and progress, but will in no case exceed Rs. 2,400 for the two years, i.e., shall not exceed an average rate of Rs. 100 a month.

10. The pay of Probationary Extra Assistant Conservator of Forests will be Rs. 150 a month for the first three years and thereafter Rs. 200 a month until they can be appointed to vacancies in the sanctioned cadre of the Provincial Forest Service.

152. Rules for the Appointment of Rangers, Deputy Rangers and Foresters.

(1) The Conservator of Forests, Bihar and Orissa, may appoint the following to the class of Forest Ranger :—

- (i) Deputy Rangers of long service and tried ability and probity irrespective of the educational certificates they may hold ;
- (ii) Candidates who have obtained the Honours certificate or the Higher Standard certificate, after passing through the two years' Ranger course at the Imperial Forest College, Dehra Dun ;

- (iii) Candidates who have obtained the Lower Standard certificate after passing through the above-mentioned course at the Imperial Forest College and who have rendered thereafter not less than two years' satisfactory service in the class of Deputy Ranger;
- (iv) Deputy Rangers or Foresters who have passed through the Kurnong or Balughat Forest School course with credit and who have rendered thereafter not less than two years' satisfactory service in the class of Deputy Ranger;
- (v) Deputy Rangers or Foresters who have passed through the Kurnong or Balughat Forest School course successfully and who have rendered thereafter not less than five years' satisfactory service in the class of Deputy Ranger or Forester.

NOTE.—The provisions of the above rules (i) and (v) are subject to the condition that no Deputy Ranger or Forester is eligible for the promotion to the class of Deputy Ranger or Forester, unless he has passed the examination for the promotion to the class of Deputy Ranger with less than a tally of satisfactory service in the class of Deputy Ranger or Forester.

(2) The Commissioner of Forests, Bihar and Orissa, may appoint the following to the class of Deputy Ranger:—

- (i) Foresters of long service and tried ability and probity irrespective of the educational certificate they may hold;
- (ii) Candidates who have obtained the Lower Standard certificate after passing through the two years' Ranger course at the Imperial Forest College, Dehra Dun;
- (iii) Foresters or candidates who have passed through the Kurnong or Balughat Forest School course with credit;
- (iv) Foresters or candidates who have passed through the Kurnong or Balughat Forest School course successfully and who have rendered thereafter three years' satisfactory service in the class of Forester.

(3) Foresters will be appointed by Divisional Forest Officers under powers delegated in Bengal Government No. 1158-T.R., dated the 6th July 1911.

153. Rules for the Departmental Examination of Forest Officers.

1. Forest Officers will be examined after admission to the Department on the subjects mentioned in Chapter I. Part III of the Forest Department Code (7th edition) which are reproduced below.

Appendix II to Bihar and Orissa Government Notification No. 791A, dated the 6th December 1913.

2. The examination will be conducted under the control of the Central Examination Committee at one of the local centres as provided for in Part B, Section 1, of the General Examination Rules.

3. Officers of the Forest Department in Bihar and Orissa will be required to pass by both the standards referred to in Part B, Section 11A, in Hindi and Oriya, according as the one or the other is prescribed for each officer by the Lieutenant-Governor in Council under Article 40 of the Forest Department Code, 1913. The text-books will be those prescribed in Part B, Section 11A, and the examination, including the oral test, will be conducted generally according to the rules prescribed for the examination of other Civil Officers. Special papers will, however, be set for unseen transliteration and translation in which technical judicial terms will be avoided and such terms substituted as bear upon Forest work.

4. No officer who is a native of the Province and of pure Asiatic extraction will be liable to examination in his own vernacular.

5. The examination in Land Revenue Systems, Forest Law and Forest Procedure and Accounts will be written. One paper containing not less than 12 questions will be set in each subject by the Central Examination Committee in communication with the Conservator of Forests. A table showing the maximum and pass marks and the time allowed for each subject is subjoined :—

Subjects of Examination.	Maximum marks.	Pass marks.
1	2	3
Land Revenue (without books)	200	120
Forest Law (without books)	200	120
Procedure and Accounts (with books)	200	120

A total of 120 marks in any paper will entitle the examinee to a certificate of having passed in that subject. While a total of over 160 marks will entitle him to a certificate of having passed "with credit" and a total of over 180 marks to a certificate of having passed "with great credit" Provided that no examinee will be held to have passed "with credit" or "with great credit" in any subject if no marks are allotted for the answer to any one of the questions set in that subject.

6. In the examination in Land Revenue not less than six questions will be set on Part I of Baden-Powell's "Short Account of the Land Revenue and its Administration in British India" (in one volume), and the remainder on those portions of Book II, Vol. I, of the same author's "Land Systems of British India" which relate to the Province of Bihar and Orissa.*

The examination in Forest Law will be similar to that in Land Revenue, the question being on the laws and subjects discussed in Baden-Powell's "Forest Law", and in the special rules passed under the Indian Forest Act which apply to the Province of Bihar and Orissa.

The examination in Procedure and Accounts will embrace the Forest Code, the Civil Service Regulations, the Civil Account Code, and the rules regarding the general conduct of business in the Forest Department. The use of books will be allowed.

7. A Forest Officer passing the above examination will be considered to have fulfilled the conditions necessary for promotion referred to in Articles 11 (note) and 36 of the Forest Department Code, 1913.

8. At the discretion of the Lieutenant-Governor in Council the increments of any Deputy Conservator, Assistant Conservator, Extra Deputy Conservator or Extra Assistant Conservator of less than twelve years' service transferred to Bihar and Orissa from another province may be stopped if he fails to pass by the Lower Standard in the language prescribed under Rule 3 of the Rules in this Appendix within three years from the date of his transfer, or, in the case of an officer previously transferred, within three years from date of publication of these rules.

NOTE.—Periods of leave taken outside Bihar and Orissa will be excluded in calculating the period specified in this rule.

9. An Officer of the Forest Department may present himself for examination in one or more of the languages or dialects of the province other than that in which he is required to pass by Rule 3 of this Appendix with the permission of the Lieutenant-Governor in Council who will decide whether the language in which the officer desires to be examined is one the acquisition of which will be useful to him and likely to increase his efficiency in the Department.

10. No reward will be granted to an officer of the Forest Department for passing the examination in the language which it is necessary for him to pass in order to qualify for promotion under the provisions of Rule 3 of this Appendix, but for passing in any other vernacular language Forest

* Amended by Notification No. 3791-A., dated the 5th August 1916.

Officers of the rank of Extra Assistant Conservator and upwards will be entitled to a reward on the following scale:—

Optional
Examination:

(i) For passing in one of the two principal languages specified in Rule 3 of this Appendix after transfer from another province in which the officer has already passed by the Higher Standard in some other "principal" language—

Rewards.

(a) Rs. 250 for passing by the Lower Standard within 1½ years from the date of his transfer ;

(b) Rs. 500 for passing by the Higher Standard within 2½ years from the date of his transfer and after having passed by the Lower Standard under the condition laid down in (a) ;

(c) Rs. 750 for passing by the Higher Standard within 2½ years from the date of his transfer without having previously passed by the Lower Standard.

NOTE.—Periods of leave taken outside Bihar and Orissa will be excluded in calculating the periods specified in sub-clauses (a), (b) and (c).

(ii) For passing the second of the two principal languages specified in Rule 3 of this Appendix or in Bengali by the Lower Standard Rs. 250 and by the Higher Standard Rs. 500.

(iii) For passing in one of the Tribal languages specified in Part C of the Rules for the Conduct of the Departmental Examinations, Forest Officers are entitled to the reward prescribed therein subject to the conditions laid down in Rule 8 of this Appendix.

11. Probationary Extra Assistant Conservators may, with the permission of the Local Government, present themselves for examination in the prescribed subjects specified in Rules 3 and 5 of this Appendix during their probationary period.

12. Forest Rangers may, with the consent of the Conservator of Forests Bihar and Orissa, appear at the examinations referred to in Article 40 of the Forest Department Code and in Rules 2 to 6 of these Rules.

154. Visit of Forest Officers to Dehra Dun.

"I am directed to invite a reference to paragraphs 1 (b) and 3 of this

Circular No. 13F—190-J, dated the 8th July 1912, from the Government of India.

Department's Circular No. 7-190-24-F., dated the 24th April 1911, dealing with Resolution No. XIII passed by the Board of Forestry in March 1910,

in which it was recommended that selected forest officers should be allowed

to visit Dehra for the study of any particular subject in which they desire to carry out research work. It will be seen that the matter was left over for further consideration. Two years have now elapsed since the Board of Forestry made their recommendation, and during this time the work at the Forest Research Institute has made great progress. The Government of India consider it is of great importance that all gazetted forest officers should be in touch with the Research Institute and keep themselves acquainted with the work and investigations which are in progress there, and, though deputations for special duty have not yet been arranged for, they will be glad to see all promising Officers encouraged to pay short visits to Dehra of, say, ten days or a fortnight, during which time they would be able to inspect the Museums, the Chemical Laboratory, and the Herbarium. They would thus gain a general knowledge of the investigations which have been and are being undertaken—and of the widespread effects that these may be expected to have on the sylvicultural treatment of the forests and on the development of forestry in general.

2. Should it be considered desirable that an officer should pay a more extended visit to Dehra for some particular purpose or with some special object, e.g., to consult the herbarium in connection with the preparation of a local 'Flora' it will be open to Local Governments to allow him to do so and the President, Forest Research Institute, will endeavour to give him every facility for prosecuting his inquiries. During such period of deputation officers would receive their full pay and allowances, and may be allowed travelling allowance to and from Dehra Dun, but no daily allowance during halt there. The most convenient time for such visits would be during the monsoon—July to October—and I am to suggest that with the permission of His Honour the Lieutenant-Governor, any Forest Officer who wishes to do so, and who it is considered would profit by such visits, may after consultation with the President, Forest Research Institute and College, be allowed to visit Dehra on duty for the purpose set forth above."

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